



**City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Virtual Meeting by Zoom
November 17, 2020
7:00 PM**

Due to the COVID-19 health concerns, the format of the City Commission meeting will be held in a virtual video-conferencing environment. City Commission members and City staff will attend the meeting via a remote location, using a virtual meeting method.

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. Public participation is welcome in the following ways:

- To register to attend the virtual meeting utilizing Zoom Webinar or to participate by phone. Attendees must register in advance for the Commission Meeting:
https://us02web.zoom.us/webinar/register/WN_5AY3duZBRmq94kzYFCfuQQ

After registering, you will receive a confirmation email containing information about joining the webinar by Zoom or phone.

- Attend in person. **The City will be following the Current Governor’s Directives and the Public Health Officer Orders regarding public meetings conducted by, staffed by or held in the facilities of the city.** Masks will be required, social distancing will be enforced, and the total number of persons in the meeting room will be limited to a maximum of 25. Public following these directives may view and participate in the meeting from the Gibson Room. Please refrain from attending in person if you are not feeling well.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, November 17, 2020, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether a city resident. Due to tracking and dissemination requirements, written communication must be received by that time in order to be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PROCLAMATIONS

Small Business Saturday and Lung Cancer Awareness Month

PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/BOARDS AND COMMISSIONS

1. Miscellaneous reports and announcements.

(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and either your address or whether you are a city resident for the record.)

2. Appointment to the Tourism Business Improvement District Board.

3. Appointment to the Board of Adjustment/Appeals.

CITY MANAGER

4. Miscellaneous reports and announcements from City Manager.

CONSENT AGENDA

The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.

5. Minutes, November 4, 2020, City Commission Meeting.

6. Total Expenditures of \$1,881,941 for the period of October 16, 2020 through November 4, 2020, to include claims over \$25,000, in the amount of \$1,343,242.

7. Contracts List.

8. Award the construction contract in the amount of \$298,700 to Wadsworth Builders for the City Finance Office Remodel, and authorize the City Manager to execute the construction contract documents.

9. Set a public hearing for December 1, 2020 to consider a lease agreement of City owned property located in Wadsworth Park with the Great Falls Saddle Club.

10. Approve the purchase of MagneGrip Exhaust Extraction Systems for Fire Station 1, 2, 3, and 4 in the amount of \$166,564.49 from Weidner Fire of South Midvale, UT, through the Savvik Buying Group.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member.

PUBLIC HEARINGS

11. Resolution 10374, Amending rates in accordance with Title 15 of the Official Code of the City of Great Falls (OCCGF), relating to permit fees, plan review fees and penalty fees for building, plumbing, mechanical, electrical and sign permits in the City. *Action: Conduct a public hearing and adopt or deny Res. 10374. (Presented by Craig Raymond)*

12. Resolution 10377, Remodeling, Reconstruction, or Expansion of Certain Commercial Buildings or Structures, Tax Benefit for John and Lisa Semansky, 16 5th Street South. *Action: Conduct a public hearing and adopt or deny Res. 10377. (Presented by Craig Raymond)*

OLD BUSINESS

NEW BUSINESS

ORDINANCES / RESOLUTIONS

- [13.](#) Resolution 10379, Authorizing the expenditure of approximately \$8,829,810 of funds from the Downtown Urban Renewal Tax Increment Financing District toward the Civic Center Façade Renovation Project. *Action: Set or not set a public hearing on Res. 10379 for December 1, 2020. (Presented by Craig Raymond)*

CITY COMMISSION

14. Miscellaneous reports and announcements from the City Commission.

ADJOURNMENT

Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.



Commission Meeting Date: November 17, 2020

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Appointment to the Tourism Business Improvement District Board.

From: City Manager's Office

Initiated By: City Commission

Presented By: City Commission

Action Requested: Appoint one member to the Tourism Business Improvement District Board of Trustees.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (appoint/not appoint) Jessica Allen to the Tourism Business Improvement District Board of Trustees for the remainder of a four-year term through June 30, 2023.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Summary:

Robert Dompier was appointed Tourism Business Improvement District Board of Trustees, (TBID) in July 2016 and recently tendered his resignation. The Board Liaison, Rebecca Engum, sent out letters to all property owners within the TBID district seeking interested candidates. She also sent emails and made phone calls to encourage applications. An application from Ms. Allen was received on October 2, 2020.

TBID Recommendation:

During the District's meeting on October 15, 2020, the TBID Board recommended that the City Commission appoint Jessica Allen to the Board of Trustees for the remainder of a four-year term through June 30, 2023.

Background:

Purpose

The Tourism Business Improvement District (TBID) was established by Resolution 9792 on December 2, 2008 and recreated by Resolution 10222 on February 6, 2018 for an additional ten years. Its overall purpose is to utilize tax dollars through the TBID assessment and direct those monies to be used for the purpose of promoting tourism, conventions, trade shows, and travel to the City of Great Falls. Trustees must be an owner of property within the TBID or the owner's assignee.

The continuing members of this board are:

Sandra Johnson-Thares	8/21/18 – 6/30/23
Scott Schull	5/3/11 – 6/30/22
David Buckingham	10/17/17 – 6/30/21
Peggy Ohare-Becker	2/4/20 – 6/30/21
Laurie Price-Manning	10/18/14 – 6/30/24
Becky Amaral-Miller	7/3/12 – 6/30/24

The resigning Board Member is:

Robert Dompier	7/19/16 – 6/30/23
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The citizen interested in serving on the Board is:

Jessica Allen

Alternatives:

Seek alternative applications.

Attachments:

Recommendation Letter

Application



6 November 2020

Great Falls Mayor and Great Falls City Commissioners
City of Great Falls Montana
P O Box 5021
Great Falls MT 59403

Mayor and Commissioners:

The Great Falls Montana Tourism Business Improvement District (TBID) Board of Trustees through unanimous vote would like to recommend that Jessica Allen be appointed as trustee to the Great Falls Montana Tourism Business Improvement District for the remaining term vacated by Robert Dompier, which would end 6/30/2023.

Ms. Allen is the General Manager for the newly opened, co-branded Comfort Inn/Mainstay Suites. She is:

1. Representative of an owner of land within the geographic area of the TBID
2. Committed to the well-being of the TBID
3. Respected citizen and leader
4. Able to work effectively as part of a group
5. Competent in an area of value to achieve objectives of the TBID
6. Able to maintain a commitment for the term of appointment
7. Balances board in terms of representation of large, medium and small hotel properties

Jessica has previously worked in other areas of Montana with Chambers, TBIDs and CVBs. There were no additional candidates that applied for consideration. To be eligible to serve as a TBID Trustee, applicants must be owners of lodging property land within the geographic area of the TBID or a designee of the owner. There are 29 lodging properties in the geographic area of the TBID.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca Engum".

Rebecca Engum
Executive Director



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Agenda #2.

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: TBID		Date of Application: 10/1/2020
Name: Jessica Allen		
Home Address: 520 country Club Blvd.		Email address: JessicaA@Townpump. Biz
Home Phone: 406-230-2448	Work Phone: 406-761-4600	Cell Phone: 406-230-2448
Occupation: General Manager/Supervisor		Employer: Townpump Corp.
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background:		
Educational Background: Highschool Diploma, Host program/choice Hotels		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: Harre Chamber board, TBID		
2016-2020		
Previous and current public experience (elective or appointive): None		
Membership in other community organizations:		
Central Montana Tourism - Harre Chamber		

Have you ever worked for or are you currently working for the City of Great Falls? Yes No If yes, where when?

Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes No If yes, who, which department, and relationship?

Have you ever served on a City or County board? Yes No If yes, what board and when did you serve?

Are you currently serving on a Board? Yes No If yes, which board?

Please describe your interest in serving on this board/commission? *As the GM of the newest Hotel in Great Falls I have vested interest in tourism. Will do everything I can to assist in making decisions that will help promote GF to tourism, teams, and conventions.*

Please describe your experience and/or background which you believe qualifies you for service on this board/commission? *Having served on the TBID board in Harre, prepared me to take on serving other organizations. The Harre TBID was made up of 6 Hoteliers of various Hotel sizes. I learned to make decisions that were fair to all properties.*

Additional comments: *I am excited to be a part of Great Falls and would be honored to serve.*

Signature *Jessica Allen* Date: *10/1/20*

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

Return this form to:
City Manager's Office
P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net



Commission Meeting Date: November 17, 2020
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Appointment to the Board of Adjustment/Appeals.

From: City Manager's Office

Initiated By: City Commission

Presented By: City Commission

Action Requested: Appoint one member to the Board of Adjustment/Appeals.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (appoint/not appoint) Christian Stone to the Board of Adjustment/Appeals for a three-year term through September 30, 2023.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Summary:

Kyle Palagi was appointed to the Board of Adjustment and Appeals in April 2016 for the remainder of a term through September 30, 2020. Mr. Palagi has recently moved from the Great Falls area therefore the Commission will need to appoint a new member to the Board of Adjustment/Appeals. Advertising for the vacancy was done through the City's Website and local media. The City received one application from Christian Stone on October 21, 2020.

Board Chairperson, Jule Stuver's term has also expired as of September 30, 2020 but he will remain on the Board until a successor can be appointed. The City will continue to advertise for this vacancy.

Board Recommendation:

During their Meeting on November 5, 2020 the Board of Adjustment and Appeals recommended the appointment of Ms. Stone.

Background:

The Board of Adjustment and Appeals consists of five members appointed by the City Commission. The Board hears and decides appeals regarding zoning, housing, and building codes and ordinances; hears and decides, requests for variances from standards set forth in zoning ordinances; hears and decides all other matters referred to the Board regarding zoning, housing, and building ordinances. Members serve three-year terms and, pursuant to the Official Code of the City of Great Falls, must reside within the City limits.

The International Building Code requires the Board of Adjustment’s membership to be qualified by experience and training to pass on matters pertaining to building construction. The International Mechanical Code requires the Board of Adjustment’s membership to include registered design professionals with structural engineering, electrical engineering, and architectural experience.

Members of this board are:

	Terms
Joe McMillen	10/2/18 – 9/30/21
Aspen Northerner	10/2/18 – 9/30/21
Jule Stuver	10/7/14 – 9/30/20
Kyle Palagi	4/19/16 – 9/30/20

Citizen interested in serving on the Board:

Christian Stone

Alternatives:

The Commission could choose not to appoint Ms. Stone and advertise to seek other citizen interest for the vacancy.



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM**
(PLEASE PRINT OR TYPE)

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Board of Adjustments & Appeals		Date of Application: 10/21/20
Name: Christian Stone		
Home Address: 132 30th Ave NE Grt Falls SD 57404		Email address: JCStone07@gmail.com
Home Phone: 406-781-5777	Work Phone: 406-781-5777	Cell Phone: 406-781-5777
Occupation: Self Employed		Employer: Christian Stone LLC
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input type="checkbox"/> (If yes, please explain) No.		
Related experiences or background: Business, Construction, design, Planning		
Educational Background: 12 - Some College		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: Served on 2 Great falls non-profit boards		
Previous and current public experience (elective or appointive): None		
Membership in other community organizations: Chamber member		

Have you ever worked for or are you currently working for the City of Great Falls? Yes No If yes, where and when?

Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes No If yes, who, which department, and relationship?
Shelly Haack - City Attorney Clerk

Have you ever served on a City or County board? Yes No If yes, what board and when did you serve?

Are you currently serving on a Board? Yes No If yes, which board?
Non-profit board - Foothills Community

Please describe your interest in serving on this board/commission?
I have 6 children and want to continue to make Great Falls a wonderful place to call home. To make a difference with my experience in the city.

Please describe your experience and/or background which you believe qualifies you for service on this board/commission?
I am in all areas of real estate some of my experience is in remodels, designs, planning and development. I am involved with the construction process from start to finish.

Additional comments: *I was awarded the 2020 Neighborhood Works Award for best rental remodel of the year. #4 20th St. S. & # 6 20th St. S.*

Signature: *[Handwritten Signature]* Date: *10/21/20*

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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Email:
kartis@greatfallsmt.net

JOURNAL OF COMMISSION PROCEEDINGS
November 4, 2020

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Civic Center Gibson Room 212

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members participated electronically via Zoom: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. City Staff participating electronically were: Deputy City Manager Chuck Anderson; Finance Director Melissa Kinzler; Fire Chief Jeremy Jones; Park and Recreation Director Steve Herrig; Planning and Community Development Deputy Director Tom Micuda; Public Works Director Paul Skubinna, Interim City Engineer Jesse Patton, and Water Plant Manager Wayne Lovelis; and, Assistant City Attorney Joe Cik. Staff present were: Planning and Community Development Director Craig Raymond and City Clerk Lisa Kunz.

Others participating electronically via Zoom were: Dr. Bridget Brennan, MD, Benefis Health System; and Nate Weisenberger and Ross Hanson, AE2S Representatives.

The format of the City Commission meeting is being conducted in a virtual video-conferencing environment. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), public participation is welcomed as follows:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Commission Chambers according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Wednesday, November 4, 2020, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and either the address or whether the commenter is a City resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at [406-761-4786](tel:406-761-4786). All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.

AGENDA APPROVAL: There were no proposed changes to the agenda by the Deputy City Manager or City Commission. The agenda was approved as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: Commissioner Moe reported that she received a phone call with regard to Agenda Item 17, and cautioned the constituent that she couldn't discuss that matter.

PETITIONS AND COMMUNICATIONS

JOURNAL OF COMMISSION PROCEEDINGS
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1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Luke Jaraczski, County resident, suggested that the City invest in bike lanes and provided the following reasons: the cost of \$5,000-\$10,000 per mile is more cost effective than reconstructing a roadway, attracts workers and companies, increases community value, makes communities healthier, reduces congestion on public roadways, and makes roads safer. He pointed out that bike lanes on Fox Farm Road to the Country Club, and on 2nd Streets North and South would increase connectivity.

NEIGHBORHOOD COUNCILS

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Robinson provided an update of the October 28, 2020 Board of Health meeting wherein the Board discussed restrictions above and beyond what the Governor and Public Health Officer proclaimed. After a lengthy, controversial public meeting, the Board passed a motion implementing more restrictive control measures in recognition of the need to significantly reduce the high level of Covid-19 transmission in Cascade County and the regions served by Cascade County's health providers. The restrictions went into effect November 1, 2020 and remain in place until the current per capita spread of the virus is 25 per 100,000 for four weeks, and include: maximum assembly at events – 50 people, regardless of whether the event is held inside or outside, with certain exceptions; occupancy of 50% capacity for businesses that include, in part, food establishments, bars, brew pubs, casinos, gyms, and movie theaters; operating hours for those businesses remain at 12:30 a.m.; and mask use and physical distancing requirements at all meetings conducted by, staffed by, or held in the facilities of the City, the County, or a School District will comply with State and Local guidelines for indoor gatherings. Those with medical, religious or other reasons for not wearing masks will be provided the opportunity to participate through telephonic or electronic means.

Mayor Kelly commented that while he was away the past month he kept up on what was happening here in the community. The Covid numbers kept growing and Montana became a “hot spot.” While in Vermont he watched a PBS news broadcast of Dr. Bridget Brennan, Benefis Health System Chief Medical Officer. He was flabbergasted by the deteriorating conditions happening in our community.

Dr. Bridget Brennan, MD, Benefis Health System Chief Medical Officer, reported that the Covid numbers in the county and in the state over the past few weeks have skyrocketed. With those case numbers they have seen a wave of admissions to healthcare facilities across the state that has become so large that it is threatening to overwhelm all of the healthcare facilities in the state. Benefis has been near or over 100% capacity for the last several weeks. The ICU has been consistently full and the Emergency Department is almost always holding patients waiting for beds upstairs. As of this morning there were 50 patients with Covid in Benefis hospital, and 63 Covid

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positive employees that impacts staffing.

Dr. Brennan commented that a lot of patients recover and go home, but a lot of them do not. In October there were 37 deaths. Even with healthcare staff that is used to seeing death, that number really starts to take a toll in that short period of time. The hospital has surge policies. The difference right now is that it is constant and it is overwhelming.

Dr. Brennan concluded that she is here asking for everyone's help. There are simple things people can do that work: washing hands, keeping distance from people, and wearing a mask, to help tackle the spread and slow it down enough so that providers can take care of patients. This is not about rights. It is about personal responsibility and being good community members.

Commissioner Moe noticed in the past month how many people she knows now that have had Covid, and that wasn't true in March – June. With regard to the Board of Health restrictions, she emphasized that right now the county is at 67 per 100,000, almost three times as much as what the cap should be. It is an extraordinary circumstance and she hopes people will take it seriously.

Commissioner Houck expressed gratitude to everyone working all of the extra hours, and to the Board of Health for making decisions, knowing they can't make everybody happy. She has heard concerns from shift workers regarding the restrictive operating hours and not being able to access certain services during those hours. She knows people don't want to wear masks, but the science shows it makes a difference. She reminded people that it is about making everybody safe in the community.

Commissioner Tryon commented that what he is hearing from constituents is the Board of Health Covid-19 decisions and 50% occupancy are decimating businesses and workers in the community. He understands that Covid 19 is a public health issue, but the other issue is that these decisions are having a terrible effect on people's livelihoods and businesses. He suggested it would be helpful if the City-County Health Department or Public Health Officer provided documentation or scientific data to the affected businesses that justifies the steps taken. For instance, why a 50% occupancy for small businesses would prevent Covid 19 spread, but keeping schools open does not.

In response, Commissioner Robinson provided background information on the motions and vote at the recent Board of Health meeting regarding occupancy. From a medical standpoint Dr. Geyer reported that, because Covid is so bad and so serious, more distancing is required.

Commissioner Tryon inquired if there was data to back up the conclusion that going from 75% to 50% occupancy has worked or works in reducing the spread of Covid in other places.

Dr. Brennan responded that she can't pull any data right this second aside from anecdotal. They have seen it work in the bigger cities like New York. There is no question that it puts an economic burden on the businesses in town. There were restrictions in place that no one was paying any attention to, and reducing the occupancy by definition causes social distancing. This was a way of getting the attention of the entire community. She suggested that inquiry be asked of the City-County Health Department as they have been discussing this across the state and nation and learned

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from other places who have been where we are now a few months ago and have seen these measures work in those places.

Mayor Kelly expressed appreciation to Dr. Brennan and the healthcare community.

Commissioner Robinson commented that former Cascade County Tavern Association Executive Director John Hayes wrote a letter that was well received by the members of the association to follow the rules. As a result, Commissioner Robinson believes there will be better cooperation from the bars and restaurants.

Mayor Kelly concluded that there are difficult decisions being made and we can certainly agree to disagree and ask that those decisions be made with good data. We need to show support to our healthcare workers. He noted an article he read today that, due to lack of County Commission support, the Pondera County Public Health Board members resigned. He doesn't want to see that happen here.

CITY MANAGER

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Deputy City Manager Chuck Anderson made the following announcements:

- Boulevard leaf pickup began today. The community is being kept aware of the routes via press releases, City's website and Facebook.
- The official flag of the Little Shell Chippewa Tribe has been ordered for display in the Commission Chambers.
- Planning and Community Development Department employee, Joelle Marko, passed the Plans Examination Certification test.
- The City takes very seriously what is going on with the pandemic. The leadership team conducts virtual meetings on a weekly basis to discuss Covid-related updates. The primary areas of City focus is safe and healthy employees, and a healthy work force to service the population in our community.

Commissioner Houck commented that she has heard a lot of good customer service responses from public interactions with City departments.

CONSENT AGENDA.

Commissioner Moe and Mayor Kelly requested that Consent Agenda Items 11 and 12 be pulled for separate discussion and vote.

5. Minutes, October 13, 2020, Special City Commission Meeting.
6. Minutes, October 20, 2020, City Commission Meeting.

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7. Total Expenditures of \$2,225,828 for the period of October 1, 2020 through October 21, 2020, to include claims over \$25,000, in the amount of \$1,760,629.
8. Contracts List.
9. Authorize the City Manager to allow designated staff to join the Savvik Buying Group to access cooperative purchasing agreements.
10. Approve the final payment for the Water Main Crossings the Upper Missouri River and Sun River, to the HDD Company in the amount of \$113,508.55, and \$1,146.55 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1494.6**
- *11. Award a contract in the amount of \$471,362 to NWESTCO, LLC. for the Park and Recreation Fuel Station, and authorize the City Manager to execute the construction contract documents. **OF 1755**
- *12. Approve a Change Order No. 1 in the amount of \$343,250 to Sletten Construction for the Water Treatment Plant Filtration Improvements Phase I project and authorize the City Manager to execute the document. **OF 1637.1**
13. Set a public hearing on Resolution 10374 to amend rates in accordance with Title 15 of the Official Code of the City of Great Falls (OCCGF), relating to permit fees, plan review fees and penalty fees for building, plumbing, mechanical, electrical and sign permits in the City.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the Consent Agenda as amended.

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

Mayor Kelly noted that an expenditure in Item 7 for work done on the lower Northside was paid for with state Bridge and Road Safety and Accountability Act funds, and that the project completion for Item 10 came in at \$461,000 under budget.

Mayor Kelly called for the vote.

Motion carried 5-0.

- * With regard to Item 11, Commissioner Moe expressed environmental concerns about the potential for leakage and moving the facility closer to the river.

Public Works Director Paul Skubinna responded that the underground tank currently located at Fire Station 1 is being replaced with a modern above ground tank system with extraordinary robust safety protocols. As the crow flies it will be located only a little bit closer to the Missouri River.

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Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission award a contract in the amount of \$471,362 to NWESTCO, LLC for the Park and Recreation Fuel Station, and authorize the City Manager to execute the construction contract documents.

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

- * With regard to Item 12, Public Works Director Paul Skubinna reported that this is a multiple phase project at the Water Treatment Plant to replace the main treatment components. The City has run into some challenges with the supply chain delivery schedules, contractor time loss and a few other technical challenges, that resulted in the request for a change order to the construction contract in the amount of \$343,250. It's been a challenging project, and is absolutely critical to the function and operation of the plant.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve Change Order No. 1 in the amount of \$343,250 to Sletten Construction for the Water Treatment Plant Filtration Improvements Phase 1 project, and authorize the City Manager to execute the document.

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Mayor Kelly asked that Director Skubinna discuss the sequence of events, the City's responsibility to the contractor, and the City's capabilities to recoup some of that amount from those more directly responsible.

Director Skubinna explained that as City staff was contemplating this project it was decided that the City would bid a separate contract for procurement of a set of valves and actuators, which are fundamental components of the project. Core and Main was the company that was awarded that bid and, at the same time, the construction contract moved forward. In November/December, 2019, it became evident that there was a potential that these critical items for the project were not going to be delivered on time. At the same time City staff was engaging with conversations with Core and Main and Sletten to try to understand what the options were. Based upon the information provided, the City made the decision to try to work together as a project team. With regard to recourse, the City issued notice to Core and Main on September 15, 2020, that costs were incurred due to delays in delivery of the valves and actuators. An informal response was received today and the City looks forward to receiving a formal response from Core and Main.

Nate Weisenberger, AE2S, project engineer, commented that portions of the facility are over a century old, they were dealing with information provided to them, and that there are always circumstances that come up during renovation projects. There was indication that they would get the parts on time. They negotiated with Sletten to take down two filters at a time as opposed to all six all at once. When AE2S received the initial change order from Sletten, the team negotiated the

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amount down to approximately \$200,000 from \$500,000. Issues were discovered when taking down the 1932, 1952 and 1959 filters that resulted in some of the additional change order items. In hindsight, more miscellaneous work should have been included in the original contract amount. To award a contract in the amount of \$3.8 million and to have a change order under 10% for a renovation project is not necessarily out of line with some industry standards.

Commissioner Tryon commented that it is astounding to him that a \$343,000 change order was the result of parts not being delivered on time and requested an explanation in layman's terms.

Director Skubinna responded that the City is contractually obligated to Sletten to provide the equipment and materials that the company was going to install because the City decided to do its own procurement of that equipment. When that equipment was delivered late it cost the contractor money and contractor days. The first delay of March to May was in the amount of \$222,000. The City intends to fully recover much of these costs from the vendor who was contractually obligated to the City to deliver the equipment on time.

Commissioner Tryon inquired about contract provisions that protect the City from the mercy of a supply chain. He inquired if Sletten was actually working on the project or doing nothing because the supply chain didn't come through on time.

AE2S Project Engineer Weisenberger explained that a portion of the initial \$222,000 was due to the decision to do two filters at a time as opposed to all six at once – three sequential phases as opposed to one start up. The contractor also made a case for increased timeline for project involvement. The work was initially bid in November of 2019 with the intent to have the project substantially completed in March of 2020 and final completion in May of 2020. As the work was sequenced by 2 filters at a time, there was intent to have the first two filters done by May, the second two filters done over the summer, and they are in the process of wrapping up the last two filters. The project completion timeline was extended from March and May to the fall and early winter of 2020.

Assistant City Attorney Joe Cik added that the City has provisions in contracts for liquidated damages and indemnification. He pointed out that the City has to actually suffer damages to get a dollar amount in order to recover those costs from the vendor. There is a great chance in the future that the City will recover at least a large portion of the change order amount.

Commissioner Tryon inquired what options were available.

Director Skubinna responded that going forward and getting this done now is articulated in the agenda report. To some extent the project team committed to this with the signing of work change directive 1. If the Commission were to decide at this point in time not to approve the Change Order the City would be in a difficult position with Sletten, and it puts in jeopardy the operation of the functionality of these filters going into the future. The filter work needs to be completed before the next high water demand.

Commissioner Moe noted that she resides across from the facility in question and there is considerable interest in the neighborhood with the completion of this project. It is noisy,

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interminable, and causes difficulties with living in the same neighborhood as this project. She is concerned about the fiscal impact statement, but was insured that those other improvements will take place but on a different timeline. The other alternatives will cost more money and more time. She is hopeful the City will recover this loss. The delays were, in part, caused by the pandemic.

Commissioner Houck agreed with Commissioner Moe, and moving forward is the most fiscally responsible thing to do now.

Commissioner Robinson commented that if the Commission chose not to approve payment now it would exacerbate the problem. He hopes the City can get most of the money back working the system like it is designed to work. It's an unfortunate situation.

Mayor Kelly concluded that the consent agenda is for routine, day-to-day items. Items such as this need to be discussed in depth and not be included with the consent agenda items.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 4-1 (Commissioner Tryon dissenting).

Mayor Kelly requested that the Commission be kept updated on the status of recouping the money.

PUBLIC HEARINGS

14. REQUEST FROM MIKE AND SHEILA STAIGMILLER AND MARK AND MARY STAIGMILLER TO ANNEX AND ASSIGN ZONING TO PROPERTIES ADDRESSED AS 2001, 2003 AND 2005 UPPER RIVER ROAD.

A.) RESOLUTION 10373, TO ANNEX TRACT 1 AND REMAINDER TRACT 1-A OF CERTIFICATE OF SURVEY NO. 4120 AND THE ADJOINING RIGHT-OF-WAY OF UPPER RIVER ROAD FROM THE SOUTH PROPERTY LINE OF TRACT 1 TO THE EXISTING CITY LIMITS LINE TO THE NORTH.

B.) ORDINANCE 3225, TO ASSIGN R-2 SINGLE-FAMILY MEDIUM DENSITY ZONING FOR TRACT 1 AND REMAINDER TRACT 1-A OF CERTIFICATE OF SURVEY NO. 4120.

Planning and Community Development Director Craig Raymond reported that the owners of properties addressed as 2001, 2003 and 2005 Upper River Road filed a petition to annex their properties and assign R-2 Single-Family Medium Density zoning upon annexation.

Each of these properties is within the Upper Lower River Road Water and Sewer District Number 5. These districts were established in order to provide a means to connect to city water and sewer services. These services are needed to help correct water quality and public health problems that arose subsequent to the moderate density residential development being approved in the county.

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Due to the public health emergency, the water and sewer districts were able to apply for special loans to help finance the needed utility extensions. In this case, the extensions are already in place and services are available to those property owners within district 5 at this time. Each owner pays a contractor to hook up the lines and pays for connection fees which are typical for these types of service connections. The Staigmillers are ready to move forward with inclusion into the city limits, acceptance of R-2 zoning and connection to city services.

Mayor Kelly asked if the Commission members had any clarifying questions. Hearing none, Mayor Kelly declared the public hearing open.

Mayor Kelly asked if there were any public comments in support of or in opposition to Resolution 10373 and Ordinance 3225.

Hearing none, Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Robinson moved, seconded by Commissioners Moe and Tryon, that the City Commission approve Resolution 10373 to annex Tract 1 and remainder Tract 1-A of Certificate of Survey No. 4120 and the adjoining right-of-way of Upper River Road from the south property line of Tract 1 to the existing City limits line to the north as legally described in the staff report, the Annexation Agreements, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Mayor Kelly asked if there was any discussion amongst the Commission members.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission approve Ordinance 3225 to assign R-2 Single-Family Medium Density zoning for Tract 1 and remainder Tract 1-A of Certificate of Survey No. 4120 as legally described in the staff report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Mayor Kelly asked if there was any discussion amongst the Commission members.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

15. **RESOLUTION 10375, ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE CITY'S PARKING SYSTEM; PASSPORT LABS, INC. SOFTWARE LICENSE AND SERVICE AGREEMENT; AND MULTI-SPACE PAY STATION PURCHASE APPROVAL.**

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Planning and Community Development Director Craig Raymond reported that this agenda item is the culmination of several months of research, investigating options, talking with industry experts including parking professionals from other Montana communities and reviewing software demonstrations.

The City has been focusing efforts to prioritize parking program facilities for the past couple of years. The first significant project was the renovation of the garage lighting system to full LED lights. Replacement of on-street meters has always been part of the conversation and on the list of things to accomplish, but until very recently, it was not the highest priority. A couple of things changed dramatically in March of this year. The North parking garage was broken into and along with other things including a truck, the key to the meters was stolen. Staff began to look into how best to resolve the matter. It became very apparent that there was no easy or cheap solution to the situation. Even though staff knew the meters were old technology and parts were getting harder to source, Director Raymond commented that he doesn't believe staff really understood just how vulnerable they were continuing on with the same old equipment.

Each option for replacement has advantages and disadvantages. Fixing the existing meters is expensive, and lacks options for payment, real-time activity reporting and still leaves the City vulnerable to future failures. Single space smart meters can be a good option as they offer all modern conveniences, offer multiple payment options and are most similar to existing equipment providing a smoother transition but are more costly than multi-space pay stations. Full digital options also exist and offer the lowest procurement cost option available if the City intends to provide enforcement and require revenue collection to pay for enforcement. The downside to full digital is that there is only one option for payment. That is credit or debit card and most likely with a smart phone. It is felt that Great Falls is not likely to accept this payment method as the only option. After careful consideration, staff and the Parking Advisory Commission (PAC) are recommending multi-space pay stations. If approved, there will be one pay station for each block along Central Avenue and two located in the South Parking Garage to replace the non-functioning gates there. The pay stations will offer all payment options including coin, bills, credit/debit cards and pay by phone app. The pay stations will also link with the LPR enforcement equipment that will be employed providing for significant enforcement personnel savings. The particular equipment vendor we are recommending has won a master agreement after an extensive national RFP process. Flowbird is a nationally known and reputable company. Due to the solar design, installation is simplified and energy efficient requiring much less sidewalk disturbance and contractor costs. The two stations in the south garage will be hard-wired equipment given their location.

Prior to the current on-street meter problem, staff had been looking into ways to resolve a number of other situations including extremely poor citation collection rates, ineffective processes for invoices and mailings, poor software customer service and lack of ability to take advantage of modern technology including electronic customer validation programs, on-line services and efficient enforcement methods. Staff has been researching the latest available parking management software and equipment for at least 4-5 years anticipating the day when changes would need to be made. The City has been partnered with Passport Parking since 2012 and was one of their early adopters of their mobile payment for parking products. Passport continues to earn our trust and business through great products and customer service to users in Great Falls. The package that staff

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is asking the Commission to approve tonight puts the City in a much better position to take advantage of modern offerings. Staff is proposing equipment and software that is modern but not untested, it is more efficient than what is currently being utilized. Patrolling, enforcement, collections, reporting and other internal processes will be streamlined. Passport was also awarded a master agreement through the same national purchasing cooperative following a RFP process.

Passport Labs has adopted a unique cost recovery option that places certain costs and fees on those users that use different elements of the software as opposed to spreading the entire cost across all users equally whether or not they use all parts of the program or system. For example, only those users who receive a citation will receive a \$3.00 Citation Management Platform fee in addition to the normal fine of \$5, \$10, \$20 or \$100. Only those users who receive a citation and do not pay the fine and CMP fee within 30 days will receive an additional 25% fee above the citation amount and CMP fee. Additional fees will also accumulate based on costs associated with letters and invoices sent and other efforts related to the collections or appeal process. Users who purchase monthly parking passes in the garages or surface lots will pay an additional \$2.50 per month for the digital permits. The transaction fee for Mobile Payment for parking fee will be increased from \$.25 to \$.35. Resolution 10375 provides for passing along those user fees as described above. All other fees related to the parking program remain unchanged at this time.

Director Raymond concluded that this package is a pretty aggressive proposal. He commended the PAC for being willing and able to change focus and direction based on rapidly changing conditions. Staff recommends that the City Commission conduct the public hearing and adopt Resolution 10375 amending the parking fee resolution, approve the contract with Passport Labs Inc. for parking management software, and approve the purchase of 16 Flowbird pay stations through SP+ Corp.

Mayor Kelly asked if the Commission members had any clarifying questions.

Commissioner Moe requested clarification about the PAC meeting and its recommendation.

Director Raymond clarified that at the time of the deadline to submit agenda reports, the PAC had not had an opportunity to meet. The PAC has since met, and does recommend approval of these items.

Commissioner Houck inquired if other groups had the opportunity to weigh in, such as the DDP or Downtown Association.

Director Raymond responded not specifically for the entire package, but the DDP approved the TIF agreement that was previously approved by the Commission and part of that agreement was for replacement of the parking equipment in the garages.

Commissioner Tryon inquired the cost of the initial 16 pay stations and was informed the year one total is \$170,590.

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Commissioner Robinson inquired if he could still use the app to pay for parking and was responded to in the affirmative. He also inquired if the system was similar to Missoula and was informed it was the same basic idea but with different brand pay stations.

Mayor Kelly declared the public hearing open.

Mayor Kelly asked if there were any public comments in support of or in opposition to Resolution 10375, Software License and Service Agreement, and purchase of Multi-Space Pay Station.

Director Raymond indicated a PAC member wanted to speak in support but is unable to get through on the phone.

Donna Williams, City resident, submitted written comments that she was happy to see that the Flowbird charges its battery by solar panel, and encouraged clean-energy, low-carbon alternatives for all future infrastructure projects.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Tryon moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10375.

Mayor Kelly asked if there was any discussion amongst the Commission members.

On behalf of constituents, Commissioner Tryon inquired why parking wasn't free downtown, and was the purpose of a City run parking program to fund a City run parking program.

Director Raymond explained that smaller communities that have a less urban environment than that of a community the size of Great Falls may not charge for parking downtown. Some people continually point to Bozeman and that people there do not have to pay for parking. Director Raymond commented that the reality is that they do. The City of Bozeman receives approximately \$500,000 annually out of the Downtown TIF program to pay for enforcement. Missoula has meters and pay stations and receives money from its Downtown TIF program. He concluded that, even if revenues come from other sources, parking isn't going to be free if there is going to be enforcement.

Commissioner Tryon inquired about privatizing the parking program at some later date.

Director Raymond responded that the one year contract extension with SP + will allow for time to issue an RFP to privatize the program, similar to what the Park and Recreation Department has done with the golf courses. The intent now is to keep the system functioning as good as possible.

Commissioner Robinson reported that downtown business owners want meters; they just don't want them to be too expensive.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

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Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the Passport Labs, Inc. Software License and Service Agreement.

Mayor Kelly asked if there was any further discussion amongst the Commission members.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

Commissioner Moe moved, seconded by Commissioner Tryon, that the City Commission approve the purchase of 16 Flowbird CWTBACC Pay Stations through SP+ Corporation.

Mayor Kelly asked if there was any further discussion amongst the Commission members.

Mayor Kelly thanked the members of the PAC and the Planning and Community Development Department staff for managing the parking program and appreciates the recommendation for a solution.

Mayor Kelly called for the vote.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

16. 2020-2024 CONSOLIDATED PLAN AND 2020 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP PROGRAM.

Planning and Community Development Deputy Director Tom Micuda reported that this agenda item sets the Public Hearing to consider adoption of the 2020-2024 Consolidated Plan as well as the 2020 Annual Action Plan.

The City operates an entitlement program to allocate Community Development Block Grant (CDBG) funds and HOME Investment Partnerships Program (HOME) funds to help fund projects that serve the low-moderate income residents of Great Falls. To do this, the City must have an adopted 5-year Consolidated Plan that sets broad goals for issues we want to address, and a 1-year Annual Action Plan that governs whether grant requests address priorities. This year, the Plans are combined in one document.

The 2015-2019 Consolidated Plan has run its course. Normally, staff would have brought the 2020-2024 Consolidated Plan to the Commission in June. However, HUD told entitlement communities to focus on amending their current Annual Action Plan first to add priorities for spending COVID-19 relief money. Staff expects more funds for COVID relief, and COVID issues will always be addressed in the current Plan.

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To start the process staff held a kickoff meeting on December 16, 2019, followed by a Community Needs Survey for a 30-day response period from January 8, 2020 to February 7, 2020. Five hundred nine (509) responses were received. He attended the Council of Councils meeting on January 28th and held a Focus Group meeting on February 27th. At that meeting, feedback was presented from the survey, and the group did their own exercise to develop and flesh out the goals in the draft Plan. Finally, the Plan is being made publicly available, legal notices published, and public meetings conducted. Any comments will be reflected in the final version. The 30-day formal public comment period will end on November 24.

The Plan is a large document and HUD sets the format. Our job is two-fold: 1) set broad community goals for addressing our low-moderate income population, and 2) populate the contents of the Plan with the best data we can find on a number of low-moderate income issues. Data in the includes: 1) housing challenges, 2) homelessness, 3) populations with specific needs (elderly, disabled community), and 4) service agencies that address these issues.

Because of the community's relatively stable condition (until COVID), the proposed goals for Low-to-Moderate Income populations look very similar to the current Plan. Same goals are: 1) Public Services, 2) Economic Development, 3) Public Facilities and Improvements, 4) Fair Housing, 5) Affordable Housing, and 6) Housing Rehabilitation.

Changes include:

- 1) Transitional Housing was lumped it into Affordable Housing. Two reasons: We don't want to be that specific and there are many types of housing that are related to this category.
- 2) Addressing Slum and Blight conditions were included. It's already a National Objective, but needs to be in the local Plan to open up grant opportunities.
- 3) The Housing Authority's rehabilitation needs were addressed into our larger goal of rehabbing housing units.
- 4) Identified some priorities for Public Service needs. Examples: 1) homelessness services, 2) helping people with disabilities, 3) helping people with addiction issues, 4) crime prevention, and 5) services that target youth and children.

Staff recommends that the City Commission set the public hearing for the 2020-2024 Consolidated Plan and 2020 Annual Action Plan for December 1, 2020.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission set the public hearing for the 2020-2024 Consolidated Plan and 2020 Annual Action Plan for December 1, 2020.

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

17. **ORDINANCE 3226, REQUEST FROM JOSHUA JOHNS WITH SKYLINE HEIGHTS, LLC. TO ASSIGN A ZONING CLASSIFICATION OF R-6 MULTI-FAMILY HIGH DENSITY TO THE SOUTH 153.4 FEET OF THE N1/2 SW1/4 SW1/4 NW1/4 EXCEPTING**

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THE WEST 30.0 FEET WHICH IS COUNTY ROAD IN SECTION 35, T21N, R3E, P.M.M., CASCADE COUNTY, MONTANA AND THE ADJOINING RIGHT-OF-WAY OF 6TH STREET NW AND THE ADJOINING RIGHT-OF-WAY OF SKYLINE DRIVE NW EXTENDED TO THE WEST RIGHT-OF-WAY LINE OF 6TH STREET NW.

Planning and Community Development Director Craig Raymond reported that this agenda item is a request to accept Ordinance 3226 on first reading and to set a public hearing for December 1, 2020.

Skyline Heights, LLC, owner of the subject property, has filed for annexation and zoning in order to proceed with fulfilling the development plan that they have for the property. Skyline Heights has requested R-6 zoning due to the intended plan of developing a high density multi-family project. Director Raymond noted that he characterizes the plans the department has received to date as preliminary, but so far the proposed development plan appears consistent with the underlying regulations pertaining to R-6 zoning.

As is typical for annexation, zoning and development projects, the project applicant will be required to pay for and construct improvements such as water, sewer, storm-water as well as street and sidewalk infrastructure. One particular item to emphasize due to continuing concern from the Skyline, Thaniel, West Ridge and other north end neighborhoods is the increase of traffic congestion related to new development. To this end, staff has submitted a traffic analysis and recommendations to the Commission for consideration of the project. Essentially, the developer will be required to improve Skyline Drive from its current completed location westward to the intersection with 6th Street NW. The owner will also be obligated to pay a proportionate share of costs associated with the improvement of 6th Street NW when that project becomes a reality. At this time, staff is still not in a position to declare when that improvement can move forward. There are multiple issues that need to be resolved prior to design and construction. What staff knows is that 6th Street NW is still under both county and city jurisdiction. There is also rights-of-way that would need to be secured in order to widen the roadway. Additionally, there has not been sufficient funding identified to pay for the project. In any case, staff continues to seek answers to these obstacles so that improvements can be constructed and new development can continue to be promoted.

The Planning Advisory Board/Zoning Commission conducted a public hearing on October 13, 2020, heard citizen concerns regarding traffic, and ultimately voted unanimously to recommend that the City Commission approve the annexation and zoning request.

Commissioner Moe moved, seconded by Commissioner Tryon, that the City Commission accept Ordinance 3226 on first reading and set a public hearing for December 1, 2020.

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners.

Commissioner Moe noted that she will be expressing concerns pertaining to traffic on 6th Street at the public hearing.

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Mayor Kelly called for the vote.

Motion carried 5-0.

CITY COMMISSION

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Moe referred to the recent Board of Health directives and suggested the Commission work with the City Manager and Neighborhood Councils to create a better way for those members to participate in meetings at the same time as protecting the health of staff and public that attend those meetings.

She also announced that one of the Covid related deaths in the community was the death of Stan Juneau. He was a guidance counselor at Browning High School for many years, was one of the innovators in the state when it came to Indian Education and, thanks to his wife, Indian Education became a requirement of all public schools in Montana. He advocated for people that were down and out, and made a wonderful contribution to this community. He will be missed.

Commissioner Robinson also referred to the recent Board of Health initiative and added that it is his opinion that the City is not in compliance now with Neighborhood Council meetings. He has suggestions for the Neighborhood Council meetings, and the agenda language for the work sessions and commission meetings.

Mayor Kelly suggested that Commissioner Robinson discuss his suggestions with the City Manager's Office.

19. COMMISSION INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of November 4, 2020, at 9:33 p.m.**

Motion carried 5-0.

 Mayor Kelly

 City Clerk Lisa Kunz

Minutes Approved: November 17, 2020



Commission Meeting Date: November 17, 2020
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

ITEM: \$25,000 Report
 Invoices and Claims in Excess of \$25,000

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT
<http://greatfallsmt.net/finance/checkregister>

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN
 ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$25,000:**

ACCOUNTS PAYABLE CHECK RUNS FROM NEW WORLD OCTOBER 22, 2020 - NOV. 4, 2020	628,508.25
ACCOUNTS PAYABLE CHECK RUNS FROM MUNIS OCTOBER 22, 2020 - NOV. 4, 2020	1,190,849.74
MUNICIPAL COURT ACCOUNT CHECK RUN FOR OCTOBER 16, 2020- OCTOBER 30, 2020	62,583.50
TOTAL: \$	<u><u>1,881,941.49</u></u>

SPECIAL REVENUE FUND

STREET DISTRICT

NORMONT EQUIPMENT CO	LEAF PRO W/HOOK LIFT, SPARTAN LEAF VACS	65,265.00
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ENTERPRISE FUNDS

WATER

ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES INC	OF 1625.0 WATER STORAGE TANK EVAL	36,803.72
ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES INC	OF 1637.1 WTP FILTRATION IMPROVEMENT	27,027.81
SLETTEN CONSTRUCTION CO	OF 1637.1 WTP FILTRATION IMPROVEMENT	398,961.13

SEWER

TD&H ENGINEERING	OF 1758.0 FEASIBILITY STUDY FOR LIFT STATION #1	31,931.66
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STORM DRAIN

CAPCON LLC	OF 1118.4 SMITH POND STORM DRAIN IMPROVEMENTS	66,469.59
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INTERNAL SERVICES FUND

FINANCE

ANDERSON ZURMUEHLEN AND CO PC ANNUAL AUDIT CONTRACT 25,000.00

INFORMATION TECHNOLOGY

ESRI SOFTWARE MAINTENCE AGREEMENT (SPLIT AMONG FUNDS) 33,000.00

PUBLIC WORKS ADMINISTRATION

ESRI SOFTWARE MAINTENCE AGREEMENT (SPLIT AMONG FUNDS) 10,000.00

TRUST AND AGENCY

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS FINES & FORFEITURES COLLECTIONS 53,667.18

PAYROLL CLEARING

STATE TREASURER MONTANA TAXES 45,195.00

ICMA RETIREMENT TRUST EMPLOYEE CONTRIBUTIONS

FIREFIGHTER RETIREMENT FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS 50,880.05

STATEWIDE POLICE RESERVE FUND POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS 66,186.70

PUBLIC EMPLOYEE RETIREMENT PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS 123,073.62

US BANK FEDERAL TAXES, FICA & MEDICARE 190,888.97

LABORERS INTERNATIONAL UNION EMPLOYEE CONTRIBUTIONS 27,792.99

MONTANA OE - CI TRUST FUND EMPLOYEE CONTRIBUTIONS 25,994.44

UTILITY BILLS

NORTHWESTERN ENERGY OCT 2020 SLD CHARGES 65,104.35

CLAIMS OVER \$25000 TOTAL:

\$ 1,343,242.21

CITY OF GREAT FALLS, MONTANA

COMMUNICATION TO THE CITY COMMISSION

DATE: November 17, 2020

ITEM: CONTRACTS LIST
 Itemized listing of administratively approved contracts.
 (Listed contracts are available for inspection in the City Clerk’s Office.)

PRESENTED BY: Darcy Dea, Deputy City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR’S SIGNATURE: _____

CONTRACTS LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
A	Planning and Community Development	Downtown Development Partnership of Great Falls, Inc.	FY20 & FY21	\$12,000/FY Per Resolutions 10364 and 10365	Ratification of Tax Increment Contribution Agreement for FY20 and FY21 annual operating costs of the Downtown Development Partnership of Great Falls, Inc., as approved by the Commission at the August 18, 2020 meeting, Agenda Item 10.



Commission Meeting Date: November 17, 2020

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Finance Office Remodel, OF 1750.0

From: Planning and Community Development

Initiated By: David Grosse, Senior Development Review Engineer

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: Consider Bids and Award a Contract

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (award/not award) the construction contract in the amount of \$298,700.00 to Wadsworth Builders for the City Finance Office Remodel, and authorize the City Manager to execute the construction contract documents.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the City Commission award a contract in the amount of \$298,700.00 to Wadsworth Builders for the City Finance Office Remodel.

Summary: This remodel is the first piece of a plan to group the various departments that are distributed in different areas throughout the Civic Center. These departments include Finance, Legal, HR, Administration and Planning and Community Development.

Previous proposals included remodeling the Gibson room for Legal to move into. Similarly the Missouri room was looked at for Planning and Community Development but these ideas never came to fruition. Additionally off-site space has been investigated but this has not been proven to be feasible.

After completion, this project will create space for the Legal Department to move to the first floor into a portion of the current Finance Office area and closer to other legal staff in the prosecutor’s office and the Court in the basement. This would deliver a more efficient use of this space, compressing staff work stations while providing aesthetic, mechanical, and electrical upgrades. HR staff, who are currently scattered around the Civic Center, would then occupy the vacated Legal area on the second floor. This move will effectively consolidate HR staff into a closer-knit group. Some administration staff would move upstairs and create space for Planning and Community Development in the basement.

Construction could begin December 14th and would last for 120 days.

Consolidation of the departments would provide greater efficiency and cohesion among the different departments and their roles among each other in the overall Civic Center space in addition to upgrading the electrical, mechanical and aesthetics, of this portion of the building.

Background:

Significant Impacts:

The current Finance Office will be vacated for construction to occur. Temporary facilities and arrangements will be provided to Finance Office personnel during construction. This includes occupying the IT training room on the second floor as well as working remotely. Municipal Court would have some disruption with construction effecting the ceilings in limited areas. This plumbing construction could take place during off hours. The IT Department would not be affected with construction but would have to support the re-locations.

Project Work Scope:

Remodeling 3737 sf of office area, including the demolition of walls, removal of carpet and acoustical tile ceilings. Install new metal stud walls as noted on the drawings. Install new carpeting, paint all wall surfaces and install new acoustical tile suspension ceiling system. Modify mechanical system per mechanical drawings and modify electrical equipment including lighting per electrical drawings.

Evaluation and Selection Process:

Four (4) bids were received on November 4, 2020 with the bid prices ranging from \$298,700.00 to \$379,677.00. Wadsworth Builders submitted the low bid.

Fiscal Impact: The attached bid tabulation summarizes bids that were received. We currently have budget authority of \$570,461 from the money from the Economic Development fund (Med Tech property) that was moved to Capital Projects Fund. Of this, \$104,400 is committed for the road up at the 911 Center. The total uncommitted amount is \$466,061 that could be applied to this project.

Alternatives:

Postpone/Deny: The City Commission could vote to postpone or deny award of the construction contract.

Concurrences: Finance Office, Legal, and City Manager's office agree and have supported staff's recommendation.

Attachments/Exhibits:

OF 1750.0 Bid Tab

Sheet A101 Space Layout

CITY OF GREAT FALLS

BID TABULATION SUMMARY

PROJECT NUMBER

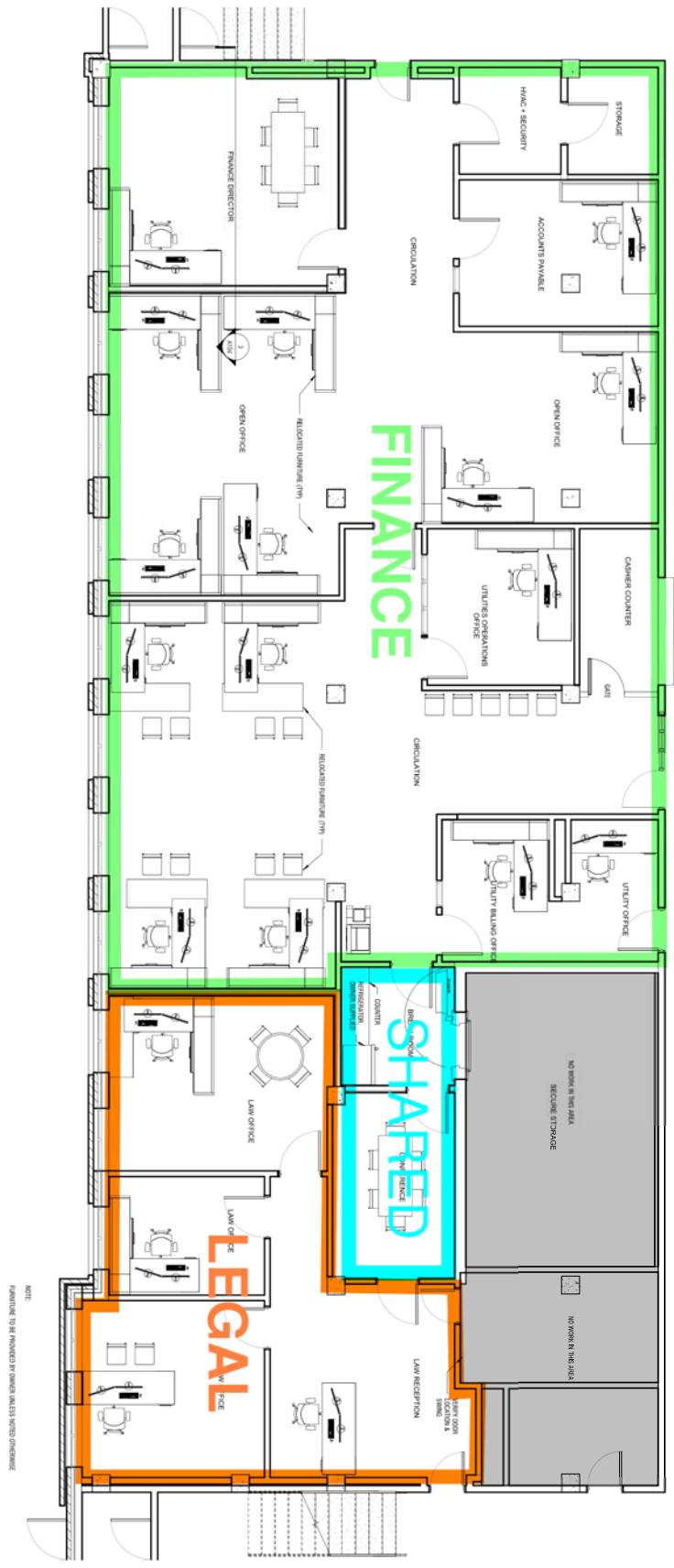
BIDS TAKEN AT CIVIC BIDS TAKEN AT CIVIC CENTER

OFFICE FILE 1750.0
FINANCE OFFICE REMODEL

DATE: DATE: 4-NOV-20
TABULATED BY: BULATED BY: DAVID GROSSE

	NAME & ADDRESS OF BIDDER	ACKNOWLEDGE ADD. #1	ACKNOWLEDGE ADD. #2	ACKNOWLEDGE ADD. #3	10% BID SECURITY	CERTIFICATE OF NON-SEGREGATED FACILITIES	CERTIFICATE OF COMPLIANCE WITH INSURANCE REQ.		TOTAL BID
1	JAMES TALCOTT CONSTRUCTION P.O. BOX 2493, GREAT FALLS MT 50403	YES	YES	YES	YES	YES	YES	BASE	\$324,400.00
								ADD ALT.	\$5,400.00
								TOTAL	\$329,800.00
2	WADSWORTH BUILDERS 4601 2ND AVE N. GREAT FALLS, MT 59403	YES	YES	YES	YES	NO	NO	BASE	\$295,000.00
								ADD ALT.	\$3,700.00
								TOTAL	\$298,700.00
3	WVH ENTERPRISES 3405 18TH AVE S. GREAT FALLS, MT 59405	YES	YES	YES	YES	NO	NO	BASE	\$296,330.00
								ADD ALT.	\$4,255.00
								TOTAL	\$300,585.00
4	CUCANCIC CONSTRUCTION 7310 ENTRYWAY DR. BILLINGS, MT 59101	YES	YES	YES	YES	NO	NO	BASE	\$372,565.00
								ADD ALT.	\$7,112.00
								TOTAL	\$379,677.00

1 | **RFI 1 - SPACE LAYOUT**
 SCALE: 1/8" = 1'-0"



CITY FINANCE OFFICES

City of Great Falls, 2 Park Drive South Great Falls, MT 59403
 Charles V. (Chuck) Anderson 406.455.8417 canderson@greatfallsmt.net
 Approver



Stephen J. Anderson
 ARCHITECTURE
 410 Central Ave
 GREAT FALLS, MT 59401
 T: 406.453.0001
 S: 406.453.0002
 SPARK-ARCHITECTURE.COM

PHASE REVISIONS
 # Date

19041

SPACE LAYOUT

A101

202003.11.15.20M



Commission Meeting Date: November 17, 2020
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Wadsworth Park – Great Falls Saddle Club.
From: Park & Recreation
Initiated By: Steve Herrig, Park & Recreation Director
Presented By: Steve Herrig, Park & Recreation Director
Action Requested: Set Public Hearing for Great Falls Saddle Club Lease of City owned property located in Wadsworth Park for December 1, 2020.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing for December 1, 2020 to consider a lease agreement of City owned property located in Wadsworth Park with the Great Falls Saddle Club.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation:

Staff recommends the City Commission set a public hearing for December 1, 2020, to consider the lease of a portion of City land located in Wadsworth Park with the Great Falls Saddle Club (Lessee).

Summary:

The proposed lease with the Great Falls Saddle Club would be a five-year extension to their previously approved January 5, 2016 lease expiring December 31, 2020. Both the City and the Lessee have the option to terminate the lease with sixty (60) days written notice. The five year lease includes an annual fee of \$375. The Great Falls Saddle Club has leased a portion of Wadsworth Park since 1971. The leased parkland is portion of property, lying and being in the County of Cascade, State of Montana, particularly described as follows:

Tract of land beginning at the SW corner of SE1/4NE1/4 of Section 18; TWP 20N, R4E M.P.M.; thence N 89 ° 42’ E 130.10 ft. to the true point of beginnings; thence North 400.0 ft., thence S 89 ° 42’ W 500.0 ft. to the true point of beginning.

The Lessee will be responsible for an annual fee and day-to-day maintenance.

Background:

As required by Title 3, Chapter 4, of the Official Code of the City of Great Falls (OCCGF), before final consideration by the City Commission of the sale, trade, or lease of City property, the City Commission shall hold a public hearing thereon and allow at least fifteen (15) days' notice of the time and place of such hearing to be published in a newspaper of general circulation in the City.

On December 1, 1998, the City Commission approved Resolution 8973, Wadsworth Park Master Plan. It was recommended at that time that "all existing leases continue in Wadsworth Park, renewable on a year to year basis, until the City is ready to begin actual physical implementation of the Master Plan." Currently there is no funding available for capital improvements in Wadsworth Park.

Fiscal Impact:

The Great Falls Saddle Club agrees to pay the City the sum of Three Hundred and Seventy-Five (\$375.00) dollars on or before January 1, of each year. If the lease is renewed, the City shall have the right to negotiate a lease rental rate for any additional years.

Alternatives:

An alternative would be to not lease a portion of Wadsworth Park to the Great Falls Saddle Club, or the Commission could vote to table action on the item for further discussion.

Attachments/Exhibit:

2016 Great Falls Saddle Club Lease Agreement

2020 Addendum to Wadsworth Park Saddle Club Agreement

LEASE AGREEMENT

This Agreement, made and entered into this ____5th____ day of ____January____, 2016, by and between the CITY OF GREAT FALLS, a municipal corporation, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter called "City" and Great Falls Saddle Club, a Montana Non-Profit Corporation P.O. Box 2963, Great Falls, Montana 59403 hereinafter called "Lessee."

WHEREAS, Lessee desires to enter into a lease of City property known as Wadsworth Park, hereinafter called "Property" for the purpose of providing equestrian activities to residents and visitors to the City of Great Falls, a public purpose, and;

WHEREAS, the City deems it to be in the public interest and serving a public purpose to lease the Property under the conditions as hereinafter set forth, and;

WHEREAS, the Lessee is an organization existing for the purpose of promoting community interest in equestrian activities and desires to secure a portion of said Property for the use of its members and the public, and;

WHEREAS, the parties do hereby covenant and agree as follows:

WITNESSETH:

The City, for and in consideration of the lease amounts to be paid and the agreement to be performed by lessee, does hereby lease, and let unto the Lessee a portion of Property, lying and being in the County of Cascade, State of Montana, particularly described as follows: Tract of land beginning at the SW corner of SE1/4NE1/4 of Section 18, TWP 20N, R4E M.P.M.; thence N 89° 42' E 130.10 ft to the true point of beginning; thence North 400.0 feet, thence S 89° 42' W 500.0 ft to the true point of beginning.

TERM OF LEASE

The term of the lease will be for five (5) years effective January 1, 2016 and expiring December 31, 2020. Upon completion of the initial term of the agreement, the City, at its sole discretion, may terminate the lease, or if requested by Lessee thirty (30) days prior to expiration, may agree to an extension of this agreement, with any conditions and covenants of this agreement, including but not limited to the rental amount, to be negotiated.

Notwithstanding the above term of lease, this lease is terminated if the Lessee's use of the Property ceases to be for a public purpose, in such event, the use of the Property immediately reverts to the City of Great Falls. Further, the agreement may be terminated prior to the expiration of the above term of lease by either party giving sixty (60) days written notice to the City, or Lessee. In the event of termination either prior to , or upon expiration of the term of this lease, Lessee shall have the right to remove any movable structures, improvements or equipment constructed or installed and maintained by Lessee on the property.

RENTAL

In consideration therefore, the Lessee agrees to pay to the City the sum of Three Hundred Seventy Five Dollars (\$375.00) on or before January 1 of each year. If the lease is renewed, the City shall have the right to negotiate a lease rental rate for any additional years.

ACCEPTANCE OF CONDITION

Lessee acknowledges familiarity with the condition of said Property states that no representation, statement or warranty, expressed or implied, has been made by or on behalf of the City as to such condition. In no event shall the City be liable for any defect in such Property or for any limitation on its use. The taking of possession of the Property shall be conclusive evidence that Lessee accepts the same “as is” and that the Property was in good condition at the time possession took place. Lessee agrees to accept the Property in the condition in which it exists at the date of taking possession, without representation or warranty, express or implied, in fact or by law, by the City, and without recourse to the City as to the nature, condition or unsuitability thereof, or as to the uses to which the premises may be put.

COVENANTS OF THE LESSEE

The Lessee hereby covenants and agrees that the Lessee will:

1. Use and occupy said Property in a careful and proper manner and not commit any waste therein;
2. Not use or occupy said Property for any unlawful purpose, and will conform to and obey all present and future laws, ordinances, and all rules and regulations of all governmental authorities or agencies, respecting the use and occupation of the premises;
3. Not use the Property for any purpose other than as stated herein, without written consent of the Park and Recreation Director or the Director’s designee;
4. Pay all bills, taxes, assessments, debts and obligations incurred by Lessee as a result of operations under this Agreement;
5. Not use or occupy said Property, or permit the same to be used or occupied, for any purpose deemed hazardous;
6. Not permit alcoholic beverages to be sold on the premises during the term of the agreement, unless prior approval is granted by the City, and in such case all required permits, licenses or other authorizations are obtained;
7. Not make any signage, alterations, changes, remodeling or capital improvements to the Property, other than livestock facilities, lighting, electrical or water improvements and installation of equipment, , without prior written permission signed by the Park and Recreation Director or the Director’s designee, and in addition thereto, shall make such approved changes at Lessee’s cost, in compliance with the law and by obtaining all permits required for such work under City ordinance. Approval for such proposed work shall not be unreasonably withheld. Any such alterations or additions shall be the sole responsibility of the Lessee, inclusive of any and all financial, material, or labor considerations and will become the property of the City upon termination of this or any subsequent lease;

8. Permit the City to enter upon the said premises at all reasonable times to examine the condition of same;
9. Ensure that routine maintenance, trash removal, and cleaning is effectively accomplished at its cost;
10. Be responsible for all damage to property, public or private, that may be caused by Lessee's operations in the performance of this agreement; and
11. Leave Property at the expiration or prior to termination of this lease and any extension thereof in as good condition as received, except for reasonable wear and tear.

REPAIRS AND MAINTENANCE

Lessee Maintenance of Leased Premises. Except as provided below, Lessee shall, throughout the term of this Lease Agreement, and at its own cost and without any expense to Lessor, keep and maintain the leased premises, including the building and improvements, and all appurtenances thereto, in good condition and repair by conducting ordinary day-to-day maintenance and repair, including but not limited to, timely removal of rubbish and trash. Lessee shall maintain the Property in a functional condition, inspect premises on a regular basis to determine any hazardous conditions which may exist, and take immediate action to correct such conditions if they exist.

Maintenance by City. City shall not be obligated to make any repairs, replacements or renewals of any kind, nature or description whatsoever to the leased premises or any improvements thereon. Notwithstanding the above, City shall not be responsible for repairs or maintenance resulting from the negligence of Lessee, its employees, agents, or invitees, which shall be the sole responsibility of Lessee.

Entry by City for Maintenance. Should Lessee at any time fail, neglect or refuse to fulfill this obligation to repair and maintain after receiving written notice of such default and a minimum of 30 days to correct such default, City may, but need not, enter the leased premises and make such repairs or alternations as in its opinion it may deem necessary, and may charge the costs of the same to Lessee to be paid upon the first day of the following month in addition to the rental, and should said costs not be so paid, this Lease Agreement shall be considered in default.

SUBLETTING, USE AND ASSIGNMENT

Lessee is authorized to allow third persons or organizations to temporarily use or rent the leased premises for periods of no more than five consecutive days, without the prior written permission of City. For any longer time periods, Lessee shall not have the right to assign this Lease Agreement or sublet the premises, or any part thereof, without the prior written permission of City.

Any assignment, use or sublease, temporary or otherwise approved, shall be subject to all the provisions of this Lease Agreement, and not affect the rental payable to City in any manner whatsoever.

With any assignment, use or sublease, Lessee shall continue to be bound by all the terms, conditions and covenants of this Lease Agreement. Permission given by City to an assignment or sublease shall not be deemed to be permission given to any subsequent assignment or sublease. Other than as stated herein, any assignment or sublease made without the prior written permission of City shall be void, and shall, at the option of City, terminate this Lease Agreement.

MUTUAL COVENANTS:

It is mutually agreed by and between the City and Lessee that:

1. If the Lessee pays the rental as herein provided, and keeps, observes and performs all of the other covenants of this lease, the Lessee may, peaceably and quietly, have, hold and enjoy the said premises for the term aforesaid;
2. This lease and all the covenants and provisions herein contained shall inure to the benefit of and be binding upon the successors and assigns of the parties and the public hereto; provided, however, that no assignment by, from, through or under the Lessee in violation of any of the provisions hereof shall vest in the assigns any right, title or interest whatsoever;
3. The City shall not be liable to any creditor of Lessee or any claimant against the estate or property of Lessee for any debt, loss, contract or other obligation of Lessee. The relationship between the City and Lessee is solely that of landlord and tenant, and shall not be construed or deemed to be a partnership or joint venture.
4. City's interest in and to said leased premises shall not be subject to or permitted to become subject to any lien or claims from or arising out of the use and occupation of the leased premises by Lessee. If and in the event such liens or claims arise or occur, Lessee shall promptly and forthwith cause the same to be released or discharged to the extent that the interest of the City is encumbered thereby.

INSURANCE REQUIREMENTS

During the term of the Lease and its extensions the Lessee agrees to carry Liability insurance for personal injury and property damage, in at least the following amounts: \$1,000,000 per occurrence; \$2,000,000 annual aggregate.

The insurance policy or policies must be issued by a company licensed to do business in the State of Montana and having at least an "A" rating in the current A.M. Best's Manual. All such policies will be written on an occurrence basis. The policy must include the City as a named insured and primary with no right of subrogation against the City. The Lessee shall furnish to the City on or before possession and thereafter on or before January 1st of each year, the certificate of insurance including a copy of the Additional Insured Endorsement, which shall be in a form acceptable to City. Claims-made policies are not acceptable and do not constitute compliance with the Lessee's obligation under this paragraph.

Lessee and its agents, employees or representatives are not subject to the terms and provisions of the City's personnel policies handbook and may not be considered City employees for workers' compensation or any other purpose. Lessee is not authorized to represent the City or otherwise bind the City in any dealings between Lessee and any third parties.

Lessee shall comply with applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. Lessee shall maintain workers' compensation coverage as required except for applicable statutory exemptions, exceptions or exclusions. Lessee shall furnish City with copies showing one of the following: **(1)** proof of registration as a registered contractor under Title 39, Chapter 9, MCA; **(2)** a binder for workers' compensation coverage as necessary by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or **(3)** proof of exemption from workers' compensation granted by law for independent contractors.

Should the Lessee fail to maintain these coverages or to provide such certificate(s) or make other arrangements as required by this Lease, this failure constitutes a breach of this Lease.

INDEMNIFICATION

The Lessee agrees to defend, indemnify, and hold the City harmless against claims, demands, suits, damages, losses, and expenses connected therewith that may be asserted or claimed against, recovered from or suffered by the City by reason of any injury or loss, including but not limited to, personal injury, including bodily injury or death, property damage, occasioned by, growing out of, or in any way arising or resulting from Lessee's use of the premises, including use by its agents, assigns, sublessees, renters, employees and others using the Property. The City shall not be liable to Lessee or any third party for any damage or injury (including death) to persons or property resulting from any defect in the leased premises or the improvements thereon, whether such defects are the result of improper construction, lack of maintenance or repair, improper maintenance or repair or other cause whatsoever.

NONDISCRIMINATION

Lessee agrees that in the use of this Property Lessee will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin, or any other classification protected under the law.

DEFAULT AND TERMINATION

If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party, at its option, may terminate this Agreement and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

ENFORCEMENT

In the event either party resorts to judicial proceedings to enforce any rights under this Lease or to obtain relief for the breach of any covenant hereof, the party ultimately prevailing in such proceedings shall be entitled to recover from the defaulting party the costs of such proceedings, including reasonable attorneys' (including city attorneys') fees and costs.

INVALIDITY

The invalidity or ineffectiveness, for any reason, of any portion of this Lease Agreement shall in no way affect the validity or enforceability of the remaining portion thereof and any invalid or unenforceable provisions shall be deemed severed from the remainder of the Lease Agreement.

WAIVER

The waiver by the City of, or the failure of the City to take action with respect to, any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition, or subsequent breach of same, or any other term, covenant or condition herein contained.

EFFECT OF LESSEE'S HOLDING OVER

Any holding over after the expiration of the term of this Lease Agreement with the consent of the City shall be construed to be a tenancy from month to month, at the same monthly rental as required pursuant to the terms of this Lease Agreement, and shall otherwise be on the terms and conditions herein specified so far as applicable.

BINDING EFFECT

It is mutually understood and agreed that each and every provision of this Lease Agreement shall bind and inure to the benefit of the heirs, executors, administrators, successors and assigns of the respective parties hereto. Masculine pronouns shall be construed as feminine or neuter pronouns and singular pronouns and verbs shall be construed as plural in any place in which the context may require such construction.

NOTICE

Any notice required to be given under this lease shall be in writing and may be served on either of the parties by mailing same in a sealed, postpaid envelope addressed to the Park and Recreation Director, 1700 River Drive North, Great Falls, Montana, and to the Lessee at address above stated, and by depositing such notice in any United States Post Office or letter receptacle, and which notice shall be deemed to have been made upon the date of mailing.

ENTIRE AGREEMENT

There are no conditions to the lease, either subsequent or precedent, except as set forth herein. This Lease constitutes the entire agreement between the parties and no representations or warranties have been made by the City to the Lessee save those contained herein.

APPLICABILITY

This Lease and any extensions hereof shall be governed and construed in accordance with the laws of the State of Montana.

CITY OF GREAT FALLS, Lessor

Gregory T. Doyon, City Manager

ATTEST:

(SEAL OF THE CITY)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT*:

Sara R. Sexe, City Attorney

*By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

Great Falls Saddle Club, Lessee

By: _____
(signature)

(printed name)

Its: _____ (Title or Office)

**ADDENDUM TO WADSWORTH PARK
SADDLE CLUB AGREEMENT**

THIS AGREEMENT, made and entered into this ____ day of _____ 20____, by and between the City of Great Falls, Montana, a municipal corporation, hereinafter referred to as "City", Great Falls Saddle Club, a Montana Non-Profit Corporation P.O. Box 2963, Great Falls, Montana 59403 hereinafter referred to as "Lessee".

WHEREAS, the lessee has provided equestrian activities to residents and visitors of Great Falls since 1971; and

WHEREAS, a five (5) year extension is mutually beneficial;

NOW THEREFORE, the parties mutually agree as follows:

1. The City, at its sole discretion, grants a five (5) year extension of the Great Falls Saddle Club Agreement on a non-exclusive basis. In consideration therefore the Great Falls Saddle Club shall pay the City on or before January 1 of each year the following rental:

2021 - \$375

2022 - \$375

2023 - \$375

2024 - \$375

2025 - \$375

2. For this purpose, User shall provide City with proof of User's Commercial General Liability insurance issued for personal injury and property damage in amounts not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. Each coverage shall be obtained from an insurance company that is duly licensed and authorized to transact insurance business and write insurance within the state of Montana, with a minimum of "A.M. Best Rating" of A-, VI, as will protect the User, the City and its officers, employees, agents, and representatives from claims for bodily injury and/or property damage which may arise from the Use under this Agreement. The City shall be included or named as an additional or named insured on the Commercial General Liability policy. Additional Insured Endorsement must be provided as evidence that the City is an additional insured on the insurance policy. The insurance must be in a form suitable to City.

Insurance requirements will be provided annually to the Park and Recreation Department annually on or before January 31.

3. All other conditions and covenants of the Great Falls Saddle Club Agreement approved by the City Commission on January 5, 2016, remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed

by the persons duly authorized thereto the day and year first hereinabove written.

CITY OF GREAT FALLS

APPROVED FOR LEGAL CONTENT

Gregory T. Doyon, City Manager

Sara R. Sexe, City Attorney

* By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel

ATTEST:

(Seal of the City)

Lisa Kunz, City Clerk

Great Falls Saddle Club

Kris Hedstrom



Commission Meeting Date: November 17, 2020

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Great Falls Fire Rescue, Diesel Exhaust Extraction System.
From: Jeremy M. Jones, Fire Chief
Initiated By: Great Falls Fire Rescue
Presented By: Jeremy M. Jones
Action Requested: Approve Purchase of Diesel Exhaust Extraction System form Weidner Fire.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/reject) the purchase of MagneGrip Exhaust Extraction Systems for Fire Station 1, 2, 3, and 4 in the amount of \$166,564.49 from Weidner Fire of South Midvale, UT, through the Savvik Buying Group.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation:

Staff recommends that the City Commission approve the purchase of Diesel Exhaust Extraction System Great Falls Fire Rescue from Weidner Fire for a total of \$166,564.49 and authorize the City Manager to execute said purchase.

Summary:

The City of Great Falls applied for and was awarded a FEMA Assistance to Firefighters grant that will pay 90% or \$145,272.73 of the cost to install new diesel exhaust extraction systems in all of the City’s Fire Stations. Currently, the stations have no exhaust extraction systems to remove the diesel exhaust from fire apparatus. Diesel exhaust has been classified as a carcinogen and leads to elevated exposure levels to firefighters who may develop various forms of cancer. The City’s 10% AFG match is \$14,527.27. This leaves a remaining \$6,764.49 to fund to cover the total purchase price of the Diesel Exhaust Extraction Systems. The City Commission approved the grant award during the October 6th, 2020 meeting. The bid process was conducted using the Savvik Buying Group allowing for a single vendor to provide the best price for the new extrication equipment.

Quick overview – Who, what, where, when, and why.

Background:

This project includes the purchase and installation of Diesel Exhaust Extraction Systems in each of the City’s four (4) fire stations to eliminate diesel exhaust which is proven to cause cancer and create safer work atmospheres in the apparatus bays.

If approved, installation of the systems will begin after all of the equipment is ordered. This will tentatively be at the beginning of next year.

Fiscal Impact:

The total cost of the Diesel Exhaust Exaction System is \$166,564.49. The Assistance to Firefighters Grant shall pay 90% of the cost or \$145,272.73 and pursuant to the grant agreement, the City shall pay a 10% match of the total cost or \$14,527.27. The remainder of the purchase cost, \$6764.49, and the City's match will come from GFFR station maintenance account.

Alternatives:

Reject the purchase allowing for exhaust emissions to continue to be emitted within the fire stations.

Concurrences:

The Assistance to Firefighter Grant Award No. EMW-2019-FG-00947 was approved by the City Commission on October 6th, 2020.

Attachments/Exhibits:

- Savvik Buying Group
- Weidner Fire GFFD station #1 priced proposal \$62,478.29
- Weidner Fire GFFD station #2 priced proposal \$34,831.60
- Weidner Fire GFFD station #3 priced proposal \$34,423.00
- Weidner Fire GFFD station #4 priced proposal \$34,831.60
- Award Letter from Department of Homeland Security

About Savvik Buying Group

We're here to provide supplies and equipment for our members, at the industry's best prices.

Our Beginnings

The Savvik Buying Group, formally known as the North Central EMS Corporation, is a non-profit organization owned by its members and formed to reduce the financial impact of the Balanced Budget Act of 1997 within the EMS industry. Our mission is to provide members with a mechanism to achieve cost reductions, which has evolved into a group-purchasing program. Savvik values quality supplies and equipment for the members, at the industry's best prices.

The phrase "at the industry's best prices" plays an even more important role today than in previous years as the Medicare Fee Schedule took effect on April 1, 2002. Ambulance services across the country have seen a drastic reduction in their Medicare reimbursements which accounts for up to 75% of their revenue. This drastic reduction in revenue decreases their capital budgets and curbs their purchases if not determine their entire existence.

Where We're Going

Membership is comprised of ambulance services, fire departments, first responder groups, police/sheriff departments, industrial emergency response teams, and other organizations related to the EMS industry. Savvik is proud to focus on membership nationwide. Our intent is to offer the Electronic Patient Care Reporting and Data Collection contract to all Savvik members regardless of their physical location.

An amazing result of our success was the formation of The Savvik Foundation in 2000. Savvik invests back into the industry! A portion of our excess revenues are returned to regional, state and national EMS associations as well as being donated to The Savvik Foundation so that it can complete its mission of leading industry efforts in such areas as safety, efficient operations, education, research and national consensus building.

We're dedicated to improving the general wellbeing of the public safety industry as a whole. Our effectiveness increases with commitments from our vendor partners to provide Savvik members with quality products and services at the industry's best prices.

Savvik has enjoyed significant growth over the last few years by developing partnerships (including revenue sharing relationships) with regional, state and national EMS associations. Savvik has fifty-one group affiliates that include membership to the Savvik Buying Group as part of their group dues structure. The associations that participate in our group membership program receive quarterly reports and payments from our office. Payments reflect a portion of the contract management fee of the total sales their members purchased from our vendors.

We're Growing!

Year	Members	US States	Canada	Mexico	Columbia	Other Province
2020	13,360	50	1	1	4	4
2019	11,886	50	1	1	4	4
2018	11,423	50	1	1	4	4
2017	6,993	50	1	1	4	4
2016	5,441	50	1	1	4	4
2015	4,504	50	1	1	6	3

How Savvik Can Help You

Who We Serve

Savvik serves the entire public safety sector: EMS, fire departments and fire rescue, law enforcement. Additionally, hospitals, clinics, schools and other related agencies with products and services.

Save Time & Money

Savvik has already put in hundreds of hours into each competitively bid process and selected vendors and programs that you can trust. We do this for you at no charge. With all of the work already being done, all you have to do is select what you need and when you need it.

Group Power Buys – We leverage the buying power of our entire group to get the best deals we can on core products to help drive deeper discounts to our members. Buy just what you need and save by pooling your purchases with your peers nationwide. All of this at no additional cost to you.

Savvik also gives back a portion of our proceeds back to the public safety industry to support programs and initiative that keep all of us strong. By supporting Savvik with your purchases you are also helping the industry thrive!

Unmatched Value

Savvik has outstanding contracts with reputable vendors. These contracts will help save your agency valuable resources, but that is not all. Savvik will also provide you with service after the sale. We pride ourselves on customer service both before and after all Savvik purchases. We will help you with any discrepancies in billing, equipment failure, vendor relations, finding products, and much more. Savvik is a one-stop buying group that meets all your needs. We want to provide you with the right products – the right services – at the right price!

The chances are you know someone who has achieved significant cost savings as a member of Savvik. We'd like to add you to our growing list of members with success stories.

Revenue Sharing

A portion of our proceeds is returned back to our State and National Association partners every quarter. We share our proceed with our 57 plus partners based on purchase volume on the program they were purchased under. Just for buying the products you need at our discounted costs, you are helping your organization grow stronger! Help us support you! If you don't find what you are looking for contact us and we will try to set up a buying program for it. When we work together everyone wins!

Investing in Our Industry

An amazing result of our success was the formation of the Savvik Foundation in 2000. Savvik invests in the industry! Savvik's excess revenues are returned to regional, state and national Public Safety associations as well as being donated to organizations like the Savvik Foundation through grants so that they can complete the mission of leading industry efforts in such areas as safety, efficient operations, education, research and national consensus building. We have also been at the forefront in building the guidelines for community paramedicine.

Savvik and the Savvik Foundation are dedicated to improving the general wellbeing of the Public Safety industry as a whole. Our effectiveness increases with the commitment from our vendor partners to provide Savvik members with quality products and services at the industry's best prices.

Competitive Bid Process

Savvik contracts for many of our Public Safety supplies and services through a competitive bidding or quotation process, ensuring the best pricing on quality products and services. Savvik competitive bidding procedures ensure full and fair competition, and, therefore, relieve our members—even many of our public members—of the obligation to conduct their own competitive bidding process.

Date: 11/05/2020	Customer: Great Falls Fire Department Contact: Shane Klippenes Phone: 406-791-8967 Email: sklippenes@greatfallsmt.net
Proposal #: 11052020GF1	Address: 105 9th Street South, Great Falls, MT 59401 Job Location: Station #1

> **Scope of Work:** Weidner Fire will provide a MagneGrip 100% source capture exhaust removal system. This turnkey proposal includes: site survey, equipment, installation, startup, and training.

> **Project Overview:** Four MagneGrip sliding flex track systems for back-in apparatus parking configuration and two MagneGrip straight suction rails for pull through apparatus parking. Wireless pressure sensors, control panel, and system fan. Total of six vehicle hose connections, 550 CFM per vehicle/hose connection.

QTY	P/N	DESCRIPTION	PRICE EA.	EXT. PRICE
4	SFTM 301	MagneGrip 30 ft. sliding flex hose system, includes (5) sections of track, support legs, feet kits, slinky hose, 5" blue/white hose, 5" hi temp solid blue lower hose, knob handle, balancer, lifting elbow, pressure sensor, standard transmitter, 6" blast gate, and tailpipe adapter.	3,637.60	14,550.40
2	SSRM-601	MagneGrip 60 ft. straight suction rail, includes (10) sections of 6" dia. Rail, support legs, foot kits, one crab, tailpipe adapter, end cap, 5" blue/white hose, 5" high temp solid blue lower hose, knob handle, 8" blast gates, 8" plenum, balancer and rubber lips.	7,340.00	14,680.00
6	Misc.	MagneGrip misc. tailpipe reducers and exhaust clamps.	52.00	312.00
1	CF363-5	MagneGrip Cincinnati fan/motor assembly, 5 HP, three phase, 3300 CFM at 6" sp, 12" inlet and outlet. Made in the USA.	3,619.36	3,619.68
1	500179-05	MagneGrip control panel for 5 HP three phase fan, wireless capabilities, stop button, UL certified, NEMA 4 enclosure, variable timer, compatible with the above motor and fan.	1,311.79	1,311.79
1	500157-12	MagneGrip 12" up blast and rain damper, specifically designed for exhaust removal systems, galvanized	395.79	395.92
1	Installation	Install includes: travel, equipment installation, equipment rental, electrical installation, spiral duct, hardware, start up, calibration, and training.	24,608.50	24,608.50
0	Freight	Estimated shipping for delivery to zip code 59401.	3,000.00	3,000.00
TOTAL:			62,478.29	

Delivery of system will be within 8 weeks of proposal acceptance. Quotation is valid for 90 day.

Payment Terms: Equipment portion of project due at time of order, balance due upon completion of installation and training.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quotation. All agreements contingent upon acts of God, such as severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, explosions, war, acts of terrorism, epidemics, pandemics, strikes and labor disputes, or other delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Weidner Fire is licensed and insured according to all laws and regulations.

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**** Weidner Fire will utilize the Savvik Buying Group contract for the MagneGrip exhaust removal project and pay all processing fees required for use of the buying group contract.

TERMS & CONDITIONS

EXCLUSIONS TO THE PROJECT PROPOSED:

1. Permits, fees, bid/performance bonds, and insurance requirements, unless expressly requested in bid documents and listed in Weidner Fire proposal are not included in this proposal; including but not limited to, load calculations, technical drawings, submittals, shop drawings, and permit drawings of any kind. Should any of these items be required, a separate quote will be required.
2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated in proposal.
3. Payment terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
4. This proposal includes electrical work as quoted. Weidner Fire's electrical modifications to the building are specific to this project only, and include running wiring from building's existing electrical panel to exhaust system control panel, and from exhaust system control panel to fan and motor. Weidner Fire is assuming the building is currently equipped with electrical conditions sufficient to operate the proposed control panel and exhaust fan/motor. Electrical improvements/modifications required to enable proper operation of the proposed equipment are not the responsibility of Weidner Fire, but of the customer/owner of the building.
5. Weidner Fire is not responsible for installation of vehicle-mounted transmitter(s). If specified in proposal, Weidner Fire will provide hardware, with customer assuming responsibility and expense of installation on vehicles.

SIGNATURE: _____ **Date:** _____
(Acceptance of Terms & Conditions)

(Pages 1 and 2, inclusively.) The above prices, specifications, and Terms and Conditions are satisfactory and are hereby accepted. Weidner Fire is authorized to do the work as specified. By signing where indicated, _____, as agent for the organization proposed, hereby authorizes Weidner Fire. to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.

Date: 11/05/2020	Customer: Great Falls Fire Department Contact: Shane Klippenes Phone: 406-791-8967 Email: sklippenes@greatfallsmt.net
Proposal #: 11052020GF2	Address: 105 9th Street South, Great Falls, MT 59401 Job Location: Station #2

> **Scope of Work:** Weidner Fire will provide a MagneGrip 100% source capture exhaust removal system. This turnkey proposal includes: site survey, equipment, installation, startup, and training.

> **Project Overview:** Two MagneGrip straight suction rails for pull through apparatus parking configuration. Wireless pressure sensors, control panel, and system fan. Two vehicle hose connections, 1050 CFM per vehicle/hose connection.

QTY	P/N	DESCRIPTION	PRICE EA.	EXT. PRICE
2	SSRM-601	MagneGrip 60 ft. straight suction rail, includes (10) sections of 6" dia. Rail, support legs, foot kits, one crab, tailpipe adapter, end cap, 5" blue/white hose, 5" high temp solid blue lower hose, knob handle, 8" blast gates, 8" plenum, balancer and rubber lips.	7,340.00	14,680.00
2	Misc.	MagneGrip misc. tailpipe reducers and exhaust clamps.	52.00	104.00
1	CF361-3	MagneGrip Cincinnati fan/motor assembly, 3 HP, single phase, 2100 CFM at 6" sp, 10" inlet and outlet. Made in the USA.	3,654.40	3,654.40
1	500176-05	MagneGrip control panel for 3 HP single phase fan, wireless capabilities, stop button, UL certified, NEMA 4 enclosure, variable timer, compatible with the above motor and fan.	1,246.20	1,246.20
1	500157-10	MagneGrip 10" up blast and rain damper, specifically designed for exhaust removal systems, galvanized	292.00	292.00
1	Installation	Install includes: travel, equipment installation, equipment rental, electrical installation, spiral duct, hardware, start up, calibration, and training.	13,055.00	13,055.00
1	Freight	Estimated shipping for delivery to zip code 59401.	1,800.00	1,800.00
			TOTAL:	34,831.60

Delivery of system will be within 8 weeks of proposal acceptance. Quotation is valid for 90 day.

Payment Terms: Equipment portion of project due at time of order, balance due upon completion of installation and training.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quotation. All agreements contingent upon acts of God, such as severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, explosions, war, acts of terrorism, epidemics, pandemics, strikes and labor disputes, or other delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Weidner Fire is licensed and insured according to all laws and regulations.

Weidner Fire | 135 West 7065 South Midvale, UT 84047 | Tel: 801.565.9595 | weidnerfire.com

**** Weidner Fire will utilize the Savvik Buying Group contract for the MagneGrip exhaust removal project and pay all processing fees required for use of the buying group contract.

TERMS & CONDITIONS

EXCLUSIONS TO THE PROJECT PROPOSED:

1. Permits, fees, bid/performance bonds, and insurance requirements, unless expressly requested in bid documents and listed in Weidner Fire proposal are not included in this proposal; including but not limited to, load calculations, technical drawings, submittals, shop drawings, and permit drawings of any kind. Should any of these items be required, a separate quote will be required.
2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated in proposal.
3. Payment terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
4. This proposal includes electrical work as quoted. Weidner Fire's electrical modifications to the building are specific to this project only, and include running wiring from building's existing electrical panel to exhaust system control panel, and from exhaust system control panel to fan and motor. Weidner Fire is assuming the building is currently equipped with electrical conditions sufficient to operate the proposed control panel and exhaust fan/motor. Electrical improvements/modifications required to enable proper operation of the proposed equipment are not the responsibility of Weidner Fire, but of the customer/owner of the building.
5. Weidner Fire is not responsible for installation of vehicle-mounted transmitter(s). If specified in proposal, Weidner Fire will provide hardware, with customer assuming responsibility and expense of installation on vehicles.

SIGNATURE: _____ Date: _____
<i>(Acceptance of Terms & Conditions)</i>
(Pages 1 and 2, inclusively.) The above prices, specifications, and Terms and Conditions are satisfactory and are hereby accepted. Weidner Fire is authorized to do the work as specified. By signing where indicated, _____, as agent for the organization proposed, hereby authorizes Weidner Fire. to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.

Date: 11/05/2020	Customer: Great Falls Fire Department Contact: Shane Klippenes Phone: 406-791-8967 Email: sklippenes@greatfallsmt.net
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Proposal #: 11052020GF3	Address: 105 9th Street South, Great Falls, MT 59401 Job Location: Station #3
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> **Scope of Work:** Weidner Fire will provide a MagneGrip 100% source capture exhaust removal system. This turnkey proposal includes: site survey, equipment, installation, startup, and training.

> **Project Overview:** Two MagneGrip straight suction rails for pull through apparatus parking configuration. Wireless pressure sensors, control panel, and system fan. Two vehicle hose connections, 1050 CFM per vehicle/hose connection.

QTY	P/N	DESCRIPTION	PRICE EA.	EXT. PRICE
2	SSRM-601	MagneGrip 60 ft. straight suction rail, includes (10) sections of 6" dia. Rail, support legs, foot kits, one crab, tailpipe adapter, end cap, 5" blue/white hose, 5" high temp solid blue lower hose, knob handle, 8" blast gates, 8" plenum, balancer and rubber lips.	7,340.00	14,680.00
2	Misc.	MagneGrip misc. tailpipe reducers and exhaust clamps.	52.00	104.00
1	CF363-3	MagneGrip Cincinnati fan/motor assembly, 3 HP, three phase, 2100 CFM at 6" sp, 10" inlet and outlet. Made in the USA.	3,160.80	3,160.80
1	500177-05	MagneGrip control panel for 3 HP three phase fan, wireless capabilities, stop button, UL certified, NEMA 4 enclosure, variable timer, compatible with the above motor and fan.	1,246.20	1,246.20
1	500157-10	MagneGrip 10" up blast and rain damper, specifically designed for exhaust removal systems, galvanized	292.00	292.00
1	Installation	Install includes: travel, equipment installation, equipment rental, electrical installation, spiral duct, hardware, start up, calibration, and training.	13,140.00	13,140.00
1	Freight	Estimated shipping for delivery to zip code 59401.	1,800.00	1,800.00
			TOTAL:	34,423.00

Delivery of system will be within 8 weeks of proposal acceptance. Quotation is valid for 90 day.

Payment Terms: Equipment portion of project due at time of order, balance due upon completion of installation and training.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quotation. All agreements contingent upon acts of God, such as severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, explosions, war, acts of terrorism, epidemics, pandemics, strikes and labor disputes, or other delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Weidner Fire is licensed and insured according to all laws and regulations.

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**** Weidner Fire will utilize the Savvik Buying Group contract for the MagneGrip exhaust removal project and pay all processing fees required for use of the buying group contract.

TERMS & CONDITIONS

EXCLUSIONS TO THE PROJECT PROPOSED:

1. Permits, fees, bid/performance bonds, and insurance requirements, unless expressly requested in bid documents and listed in Weidner Fire proposal are not included in this proposal; including but not limited to, load calculations, technical drawings, submittals, shop drawings, and permit drawings of any kind. Should any of these items be required, a separate quote will be required.
2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated in proposal.
3. Payment terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
4. This proposal includes electrical work as quoted. Weidner Fire's electrical modifications to the building are specific to this project only, and include running wiring from building's existing electrical panel to exhaust system control panel, and from exhaust system control panel to fan and motor. Weidner Fire is assuming the building is currently equipped with electrical conditions sufficient to operate the proposed control panel and exhaust fan/motor. Electrical improvements/modifications required to enable proper operation of the proposed equipment are not the responsibility of Weidner Fire, but of the customer/owner of the building.
5. Weidner Fire is not responsible for installation of vehicle-mounted transmitter(s). If specified in proposal, Weidner Fire will provide hardware, with customer assuming responsibility and expense of installation on vehicles.

SIGNATURE: _____ **Date:** _____
(Acceptance of Terms & Conditions)

(Pages 1 and 2, inclusively.) The above prices, specifications, and Terms and Conditions are satisfactory and are hereby accepted. Weidner Fire is authorized to do the work as specified. By signing where indicated, _____, as agent for the organization proposed, hereby authorizes Weidner Fire. to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.

Date: 11/05/2020	Customer: Great Falls Fire Department Contact: Shane Klippenes Phone: 406-791-8967 Email: sklippenes@greatfallsmt.net
Proposal #: 11052020GF2-4	Address: 105 9th Street South, Great Falls, MT 59401 Job Location: Station #4

> **Scope of Work:** Weidner Fire will provide a MagneGrip 100% source capture exhaust removal system. This turnkey proposal includes: site survey, equipment, installation, startup, and training.

> **Project Overview:** Two MagneGrip straight suction rails for pull through apparatus parking configuration. Wireless pressure sensors, control panel, and system fan. Two vehicle hose connections, 1050 CFM per vehicle/hose connection.

QTY	P/N	DESCRIPTION	PRICE EA.	EXT. PRICE
2	SSRM-601	MagneGrip 60 ft. straight suction rail, includes (10) sections of 6" dia. Rail, support legs, foot kits, one crab, tailpipe adapter, end cap, 5" blue/white hose, 5" high temp solid blue lower hose, knob handle, 8" blast gates, 8" plenum, balancer and rubber lips.	7,340.00	14,680.00
2	Misc.	MagneGrip misc. tailpipe reducers and exhaust clamps.	52.00	104.00
1	CF361-3	MagneGrip Cincinnati fan/motor assembly, 3 HP, single phase, 2100 CFM at 6" sp, 10" inlet and outlet. Made in the USA.	3,654.40	3,654.40
1	500176-05	MagneGrip control panel for 3 HP single phase fan, wireless capabilities, stop button, UL certified, NEMA 4 enclosure, variable timer, compatible with the above motor and fan.	1,246.20	1,246.20
1	500157-10	MagneGrip 10" up blast and rain damper, specifically designed for exhaust removal systems, galvanized	292.00	292.00
1	Installation	Install includes: travel, equipment installation, equipment rental, electrical installation, spiral duct, hardware, start up, calibration, and training.	13,055.00	13,055.00
1	Freight	Estimated shipping for delivery to zip code 59401.	1,800.00	1,800.00
			TOTAL:	34,831.60

Delivery of system will be within 8 weeks of proposal acceptance. Quotation is valid for 90 day.

Payment Terms: Equipment portion of project due at time of order, balance due upon completion of installation and training.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quotation. All agreements contingent upon acts of God, such as severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, explosions, war, acts of terrorism, epidemics, pandemics, strikes and labor disputes, or other delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Weidner Fire is licensed and insured according to all laws and regulations.

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**** Weidner Fire will utilize the Savvik Buying Group contract for the MagneGrip exhaust removal project and pay all processing fees required for use of the buying group contract.

TERMS & CONDITIONS

EXCLUSIONS TO THE PROJECT PROPOSED:

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2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated in proposal.
3. Payment terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
4. This proposal includes electrical work as quoted. Weidner Fire's electrical modifications to the building are specific to this project only, and include running wiring from building's existing electrical panel to exhaust system control panel, and from exhaust system control panel to fan and motor. Weidner Fire is assuming the building is currently equipped with electrical conditions sufficient to operate the proposed control panel and exhaust fan/motor. Electrical improvements/modifications required to enable proper operation of the proposed equipment are not the responsibility of Weidner Fire, but of the customer/owner of the building.
5. Weidner Fire is not responsible for installation of vehicle-mounted transmitter(s). If specified in proposal, Weidner Fire will provide hardware, with customer assuming responsibility and expense of installation on vehicles.

SIGNATURE: _____ **Date:** _____
(Acceptance of Terms & Conditions)

(Pages 1 and 2, inclusively.) The above prices, specifications, and Terms and Conditions are satisfactory and are hereby accepted. Weidner Fire is authorized to do the work as specified. By signing where indicated, _____, as agent for the organization proposed, hereby authorizes Weidner Fire. to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Stephen Hester
CITY OF GREAT FALLS
PO BOX 5021
GREAT FALLS, MT 59403
EMW-2019-FG-00947



Dear Stephen Hester,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2019 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$145,272.73 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$14,527.27 for a total approved budget of \$159,800.00. Please see the FY 2019 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2019 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "C Logan", is positioned above the typed name of the sender.

Christopher Logan
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2019 Assistance to Firefighters Grant

Recipient: CITY OF GREAT FALLS

DUNS number: 060267093

Award number: EMW-2019-FG-00947

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY2019 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$159,800.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
<hr/>	
Federal	\$145,272.73
Non-federal	\$14,527.27
<hr/>	
Total	\$159,800.00
<hr/>	
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2019 AFG NOFO.

Approved request details:

Equipment

Decon, Clean-Up, Containment and Packaging Equipment

DESCRIPTION

Self contained fire hose cleaning and decontamination hose washer that follows NFPA-1851 guidelines. .

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	0	\$14,305.00	\$0.00	Equipment

CHANGE FROM APPLICATION

Cost 1 **Quantity** from 2 to 0

JUSTIFICATION

Equipment: The application did not score high enough during peer review panel to receive funding.

PPE Washer/Extractor/Dryer

DESCRIPTION

Solo Rescue is a proven solution for decontaminating complete sets of SCBA, without dismantling the equipment. The unique construction with a rotating wash basket and specially designed wash nozzles, ensures decontamination of dangerous carcinogens. Washing is done in a controlled environment, ensuring the safety of both the user and the equipment. A safe and ergonomic product that guarantees the same result in every wash cycle.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	0	\$27,987.00	\$0.00	Equipment

CHANGE FROM APPLICATION

Cost 1 **Quantity** from 2 to 0

JUSTIFICATION

Equipment: The application did not score high enough during peer review panel to receive funding.

PPE Washer/Extractor/Dryer

DESCRIPTION

UniMac's 45lb commercial hardmount washer extractor with the M-30 Micro Controls, inverter drive with the 100 G-Force extract, soap supply box, stainless panels, 3" gravity drain, 208-240/60/1 or 3 electrical.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	0	\$10,535.00	\$0.00	Equipment

CHANGE FROM APPLICATION
Cost 1 **Quantity** from 2 to 0

JUSTIFICATION
Equipment: The application did not score high enough during peer review panel to receive funding.

Modify facilities

Source Capture Exhaust System(s)

DESCRIPTION

This air quality system is designed to prevent diesel exhaust from entering the work and living spaces of the fire station, thereby reducing contamination of equipment, apparatus, facility and personnel. Product Scope 4 Plymovent STR-70 Straight Rail vehicle exhaust systems. Each Plymovent STR-70 system includes 70 ft. of rail profile, 140ft of rubber lip material, seven vertical support legs and two end caps and one shock absorbing bumper. Six traveling trolley assemblies that will travel inside the straight rails. Six each magnetic grabber nozzles, high temperature flex hoses 25ft. X 4-inch dia., spring balancers and metal hose saddles. System Includes; One each Plymovent model TEV-585-60, 7.5 hp, 240V 1 or 3 phase direct drive exhaust fan includes a square to round discharge transition and a vertical blower discharge/backdraft damper to direct exhaust in an upblast direction. One each Plymovent Model OS-3, UL listed Electrical Control Panel including fan motor stater, fuses, timer and transformer for the wireless receiver. Interconnecting duct work connecting rails to the fan. This duct is Norfab clamping type. Includes main trunk and laterals with sweep elbows and tapered 45-dgree branch take-offs.

QUANTITY	UNIT PRICE	TOTAL
1	\$69,800.00	\$69,800.00

BUDGET CLASS

Equipment

Source Capture Exhaust System(s)

DESCRIPTION

This air quality system is designed to prevent diesel exhaust from entering the work and living spaces of the fire station, thereby reducing contamination of equipment, apparatus, facility and personnel. Product Scope 2 Plymovent STR-70 Straight Rail vehicle exhaust systems. Each Plymovent STR-70 system includes 70 ft. of rail profile, 140ft of rubber lip material, seven vertical support legs and two end caps and one shock absorbing bumper. Two traveling trolley assemblies that will travel inside the straight rails. Two each magnetic grabber nozzles, high temperature flex hoses 25ft. X 4-inch dia., spring balancers and metal hose saddles. System Includes; One each Plymovent model TEV-585-60, 7.5 hp, 240V 1 or 3 phase direct drive exhaust fan includes a square to round discharge transition and a vertical blower discharge/backdraft damper to direct exhaust in an upblast direction. One each Plymovent Model OS-3, UL listed Electrical Control Panel including fan motor stater, fuses, timer and transformer for the wireless receiver. Interconnecting duct work connecting rails to the fan. This duct is Norfab clamping type. Includes main trunk and laterals with sweep elbows and tapered 45-dgree branch take-offs.

QUANTITY	UNIT PRICE	TOTAL
1	\$30,000.00	\$30,000.00

BUDGET CLASS

Equipment

CHANGE FROM APPLICATION

Cost 1 Price from **\$42,650.00** to **\$30,000.00**

JUSTIFICATION

This reduction is because the cost you requested for source capture exhaust system exceeds the average price range calculated from market research and prior awards for the same item.

Source Capture Exhaust System(s)

DESCRIPTION

This air quality system is designed to prevent diesel exhaust from entering the work and living spaces of the fire station, thereby reducing contamination of equipment, apparatus, facility and personnel. Product Scope 2 Plymovent STR-70 Straight Rail vehicle exhaust systems. Each Plymovent STR-70 system includes 70 ft. of rail profile, 140ft of rubber lip material, seven vertical support legs and two end caps and one shock absorbing bumper. Two traveling trolley assemblies that will travel inside the straight rails. Two each magnetic grabber nozzles, high temperature flex hoses 25ft. X 4-inch dia., spring balancers and metal hose saddles. System Includes; One each Plymovent model TEV-585-60, 7.5 hp, 240V 1 or 3 phase direct drive exhaust fan includes a square to round discharge transition and a vertical blower discharge/backdraft damper to direct exhaust in an upblast direction. One each Plymovent Model OS-3, UL listed Electrical Control Panel including fan motor stater, fuses, timer and transformer for the wireless receiver. Interconnecting duct work connecting rails to the fan. This duct is Norfab clamping type. Includes main trunk and laterals with sweep elbows and tapered 45-dgree branch take-offs.

QUANTITY	UNIT PRICE	TOTAL
1	\$30,000.00	\$30,000.00

BUDGET CLASS

Equipment

CHANGE FROM APPLICATION

Cost 1 **Price from \$42,650.00 to \$30,000.00**

JUSTIFICATION

This reduction is because the cost you requested for source capture exhaust system exceeds the average price range calculated from market research and prior awards for the same item.

Source Capture Exhaust System(s)

DESCRIPTION

This air quality system is designed to prevent diesel exhaust from entering the work and living spaces of the fire station, thereby reducing contamination of equipment, apparatus, facility and personnel. Product Scope 2 Plymovent STR-70 Straight Rail vehicle exhaust systems. Each Plymovent STR-70 system includes 70 ft. of rail profile, 140ft of rubber lip material, seven vertical support legs and two end caps and one shock absorbing bumper. Two traveling trolley assemblies that will travel inside the straight rails. Two each magnetic grabber nozzles, high temperature flex hoses 25ft. X 4-inch dia., spring balancers and metal hose saddles. System Includes; One each Plymovent model TEV-585-60, 7.5 hp, 240V 1 or 3 phase direct drive exhaust fan includes a square to round discharge transition and a vertical blower discharge/backdraft damper to direct exhaust in an upblast direction. One each Plymovent Model OS-3, UL listed Electrical Control Panel including fan motor stater, fuses, timer and transformer for the wireless receiver. Interconnecting duct work connecting rails to the fan. This duct is Norfab clamping type. Includes main trunk and laterals with sweep elbows and tapered 45-dgree branch take-offs.

QUANTITY	UNIT PRICE	TOTAL
1	\$30,000.00	\$30,000.00

BUDGET CLASS

Equipment

CHANGE FROM APPLICATION

Cost 1 **Price from \$42,650.00 to \$30,000.00**

JUSTIFICATION

This reduction is because the cost you requested for source capture exhaust system exceeds the average price range calculated from market research and prior awards for the same item.

Agreement Articles

Program: Fiscal Year 2019 Assistance to Firefighters Grant
Recipient: CITY OF GREAT FALLS
DUNS number: 060267093
Award number: EMW-2019-FG-00947

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Article 1 Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article 2 DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. 6. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

- Article 3 Acknowledgement of Federal Funding from DHS**
 Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.
- Article 4 Activities Conducted Abroad**
 Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
- Article 5 Age Discrimination Act of 1975**
 Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- Article 6 Americans with Disabilities Act of 1990**
 Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
- Article 7 Best Practices for Collection and Use of Personally Identifiable Information (PII)**
 Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
- Article 8 Civil Rights Act of 1964 – Title VI**
 Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article 9 Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10 Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article 11 Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12 Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13 Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article 15 Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 16 False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 17 Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article 18 Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article 19 Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 20 Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. § 2225.)

- Article 21 Limited English Proficiency (Civil Rights Act of 1964, Title VI)**
 Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
- Article 22 Lobbying Prohibitions**
 Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.
- Article 23 National Environmental Policy Act**
 Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
- Article 24 Nondiscrimination in Matters Pertaining to Faith-Based Organizations**
 It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
- Article 25 Non-supplanting Requirement**
 Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
- Article 26 Notice of Funding Opportunity Requirements**
 All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article 27 Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

Article 28 Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article 29 Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 30 Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article 31 Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article 32 SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 33 Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article 34 Trafficking Victims Protection Act of 2000 (TVPA)

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

Article 35 Universal Identifier and System of Award Management (SAM)

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article 36 USA Patriot Act of 2001

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. §§ 175-175c.

Article 37 Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article 38 Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article 39 Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Article 40 Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 41 Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article 42 Environmental Planning and Historic Preservation

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all Federal, state, and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize Federal funding. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43 EHP Compliance Review Required

Under the Modification to a Facility, Equipment, or a component in the Wellness and Fitness Activity, this award includes work, such as ground disturbance, that triggers an EHP compliance review. The recipient is prohibited from committing, obligating, expending, or drawing down FY19 Assistance to Firefighters Grant funds in support of the Modification to Facility, Equipment or a component in the Wellness and Fitness Activity that requires the EHP compliance review, with a limited exception for any approved costs associated with the preparation, conducting, and completion of required EHP reviews. See the FY19 Assistance to Firefighters Grant NOFO for further information on EHP requirements and other applicable program guidance, including FEMA Information Bulletin No. 404. The recipient is required to obtain the required DHS/FEMA EHP compliance approval for this project pursuant to the FY19 Assistance to Firefighters Grant NOFO prior to commencing work for this project. DHS/FEMA will notify you when the EHP compliance review is complete and work may begin. If the recipient requests a payment for one of the activities requiring EHP compliance review, FEMA may not make a payment for that work while the EHP compliance review is still pending. If FEMA discovers that work has been commenced under one of those activities prematurely, FEMA may disallow costs incurred prior to completion of the EHP compliance review and the receipt of DHS/FEMA approval to begin the work. Please contact your DHS/FEMA AFG Help Desk at 1-866-274-0960 or FireGrants@fema.dhs.gov to receive specific guidance regarding EHP compliance. If you have questions about this term and condition or believe it was placed in error, please contact the relevant Preparedness Officer.

Obligating document

1. Agreement No. EMW-2019-FG-00947	2. Amendment No. N/A	3. Recipient No. 816001269	4. Type of Action AWARD	5. Control No. WX02929N2020T		
6. Recipient Name and Address CITY OF GREAT FALLS 2 PARK DR S ROOM 104 GREAT FALLS, MT 59401		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Stephen Hester		9a. Phone No. 4067918965	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 08/24/2020	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 08/31/2020 to 08/30/2021 Budget Period 08/31/2020 to 08/30/2021		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data (ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2020-F9-GB01 - P431-xxxx-4101-D	\$0.00	\$145,272.73	\$145,272.73	\$14,527.27
Totals			\$0.00	\$145,272.73	\$145,272.73	\$14,527.27
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
Christopher Logan, Acting Assistant Administrator Grant Programs Directorate	08/24/2020



Commission Meeting Date: November 17, 2020

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10374 - A Resolution by the City Commission of the City of Great Falls, Montana, to amend rates in accordance with Title 15 of the Official Code of the City of Great Falls (OCCGF), relating to permit fees, plan review fees and penalty fees for building, plumbing, mechanical, electrical and sign permits in the City.

From: Craig Raymond, Director, Planning & Community Development

Initiated By: Bruce Haman, Building Official, Planning & Community Development

Presented By: Craig Raymond, Director, Planning & Community Development

Action Requested: City Commission conduct the public hearing and adopt Resolution 10374.

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10374.”

2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends that the City Commission adopt Resolution 10374.

Summary:

When projects are submitted to Planning & Community Development, they typically go through a plan review process. The plan review is important to not only verify minimum code compliance but also to identify any life safety issues. The plan review can be somewhat of a ‘back and forth’ process between our Plans Examiners, Architects, Engineers, Contractors and owners to ensure code compliance and life safety is met.

Occasionally, contractors and/or owners have taken it upon themselves to begin construction before a permit is issued. They essentially are working from a set of plans that may not meet minimum safety code requirements and were never approved for construction. Recently, we have had to place Stop Work Orders on numerous non-permitted projects to halt construction. This Fee Resolution, proposes to formally

establish a fee that accomplishes two things, discourage unauthorized construction, and capture costs associated with investigation of unauthorized construction.

Background:

The Building Safety Division's main objectives are to ensure code compliance pertaining to life safety. The first local building code for the City of Great Falls was adopted around 1917. That building code was in use until the 1946 Uniform Building Code was adopted in 1948. Within those codes, as well as all the other code cycles (updates) until 1999, there was a 'double fee' penalty for commencing work without a permit.

The investigation fee language was specifically written within those codes. When the Uniform Building Code was replaced by what is now the International Building Code in 2000, the penalty fee language was adjusted to, "Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the Building Official that shall be in addition to the required permit fee". That fee has never formally been established by Resolution of the City Commission.

Without having the investigation fee formally established, it has become problematic recently trying to keep contractors and or owners from starting work prior to receiving appropriate permits. Contractors and or owners who begin work using a plan not reviewed for code compliance can put the public at risk. The Building Safety Division would now like to formalize, by Resolution, the traditional practice and ongoing policy of a double fee for unpermitted construction. This will ensure consistency within the department and provide Commission support to this policy.

Fiscal Impact:

The revenue from the investigative fee will help cover the cost of city plans examiners and inspectors who spend additional time investigating unpermitted work. At times, there can be multiple inspectors on one project for many cumulative hours investigating unpermitted work. Without supplemental investigative fees, staff hours spent investigating unpermitted work not only takes dollars from the permit fund but also penalizes contractors and owners who abide by the code requirements.

Alternatives:

The City Commission may elect to recommend changes to Resolution 10374 or reject supporting the application of an investigative fee for unpermitted work.

Attachments/Exhibits:

Resolution 10374

Resolution 10374 Exhibit "A"

RESOLUTION NO. 10374

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO AMEND RATES IN ACCORDANCE WITH TITLE 15 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), RELATING TO PERMIT FEES, PLAN REVIEW FEES AND PENALTY FEES FOR BUILDING, PLUMBING, MECHANICAL, ELECTRICAL, AND SIGN PERMITS IN THE CITY.

WHEREAS, the City Commission adopted Resolution 10252 on August 7, 2018, establishing rates in accordance with Title 15 of the Official Code of the City of Great Falls relating to permit fees for building, plumbing, mechanical, electrical, and sign permits in the City of Great Falls; and

WHEREAS, the City of Great Falls reviews plans and processes approximately 3,000 permits with nearly 7000 inspections annually; and

WHEREAS, unless specifically exempt from permit requirements, securing a building permit is necessary prior to starting construction work; and

WHEREAS, having considered the cost of service associated with promoting safe buildings for the citizens of Great Falls, it is necessary to adjust fees to include adding penalty fees accordingly; and

WHEREAS, the Investigation Fee will cover the cost of additional staff time needed to fully investigate completed unauthorized construction and complete the plan review and permit issuance process.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

1. That the Permit Fee schedule attached hereto as Exhibit "A" is hereby approved superseding Resolution 10252;
2. That this Resolution shall become effective upon adoption; and
3. All fees shall remain as established by this Resolution while only adding penalty fees unless specifically amended by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, November 17th 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

EXHIBIT "A"

Building Permit Fees - Effective August 7, 2018						
Value		Permit	Value		Permit	
\$1	\$1,000	\$62.61	\$50,001	\$51,000	\$718.07	\$100,001 TO \$500,000:
\$1,001	\$2,000	\$74.90	\$51,001	\$52,000	\$725.67	\$1,091.02 FOR THE FIRST \$100,000
\$2,001	\$3,000	\$90.12	\$52,001	\$53,000	\$733.29	PLUS \$6.39 FOR EACH
\$3,001	\$4,000	\$105.34	\$53,001	\$54,000	\$740.91	ADDITIONAL \$1,000 OR
\$4,001	\$5,000	\$120.56	\$54,001	\$55,000	\$748.51	PORTION THEREOF
\$5,001	\$6,000	\$135.79	\$55,001	\$56,000	\$756.12	
\$6,001	\$7,000	\$151.01	\$56,001	\$57,000	\$763.72	
\$7,001	\$8,000	\$166.23	\$57,001	\$58,000	\$771.34	\$500,001 TO \$1,000,000:
\$8,001	\$9,000	\$181.45	\$58,001	\$59,000	\$778.96	\$3,646.14 FOR THE FIRST \$500,000
\$9,001	\$10,000	\$196.68	\$59,001	\$60,000	\$786.57	PLUS \$5.04 FOR EACH
\$10,001	\$11,000	\$211.90	\$60,001	\$61,000	\$794.18	ADDITIONAL \$1,000 OR
\$11,001	\$12,000	\$227.13	\$61,001	\$62,000	\$801.79	PORTION THEREOF
\$12,001	\$13,000	\$242.35	\$62,001	\$63,000	\$ 809.40	
\$13,001	\$14,000	\$257.57	\$63,001	\$64,000	\$817.02	
\$14,001	\$15,000	\$272.80	\$64,001	\$65,000	\$824.63	\$1,000,000 AND UP:
\$15,001	\$16,000	\$288.02	\$65,001	\$66,000	\$832.24	\$6,161.34 FOR THE FIRST \$1,000,000
\$16,001	\$17,000	\$303.24	\$66,001	\$67,000	\$839.85	PLUS \$3.81 FOR EACH
\$17,001	\$18,000	\$318.46	\$67,001	\$68,000	\$847.46	ADDITIONAL \$1,000 OR
\$18,001	\$19,000	\$333.68	\$68,001	\$69,000	\$855.08	PORTION THEREOF
\$19,001	\$20,000	\$348.91	\$69,001	\$70,000	\$862.68	
\$20,001	\$21,000	\$364.13	\$70,001	\$71,001	\$870.30	RESIDENTIAL PLAN REVIEW =
\$21,001	\$22,000	\$379.35	\$71,001	\$72,000	\$877.90	50% OF PERMIT FEE
\$22,001	\$23,000	\$394.57	\$72,001	\$73,000	\$885.51	
\$23,001	\$24,000	\$409.80	\$73,001	\$74,000	\$893.12	
\$24,001	\$25,000	\$425.03	\$74,001	\$75,000	\$900.74	COMMERCIAL PLAN REVIEW =
\$25,001	\$26,000	\$436.45	\$75,001	\$76,000	\$908.36	65% OF PERMIT FEE
\$26,001	\$27,000	\$447.85	\$76,001	\$77,000	\$915.96	
\$27,001	\$28,000	\$459.28	\$77,001	\$78,000	\$923.58	
\$28,001	\$29,000	\$470.69	\$78,001	\$79,000	\$ 931.19	IF CONSTRUCTION HAS STARTED
\$29,001	\$30,000	\$482.11	\$79,001	\$80,000	\$938.80	PRIOR TO THE ISSUANCE OF A REQUIRED
\$30,001	\$31,000	\$493.53	\$80,001	\$81,000	\$946.41	BUILDING PERMIT, AN INVESTIGATION FEE
\$31,001	\$32,000	\$504.94	\$81,001	\$82,000	\$954.02	WILL BE ASSESSED EQUAL TO THE
\$32,001	\$33,000	\$516.36	\$82,001	\$83,000	\$961.63	BUILDING PERMIT FEE
\$33,001	\$34,000	\$527.77	\$83,001	\$84,000	\$969.25	
\$34,001	\$35,000	\$539.20	\$84,001	\$85,000	\$976.85	
\$35,001	\$36,000	\$550.62	\$85,001	\$86,000	\$984.47	
\$36,001	\$37,000	\$562.02	\$86,001	\$87,000	\$992.07	
\$37,001	\$38,000	\$573.45	\$87,001	\$88,000	\$999.69	
\$38,001	\$39,000	\$584.86	\$88,001	\$89,000	\$1,007.30	
\$39,001	\$40,000	\$596.28	\$89,001	\$90,000	\$1,014.91	
\$40,001	\$41,000	\$607.71	\$90,001	\$91,000	\$1,022.53	
\$41,001	\$42,000	\$619.12	\$91,001	\$92,000	\$1,030.13	
\$42,001	\$43,000	\$630.57	\$92,001	\$93,000	\$1,037.75	
\$43,001	\$44,000	\$641.95	\$93,001	\$94,000	\$1,045.36	
\$44,001	\$45,000	\$653.37	\$94,001	\$95,000	\$1,052.97	
\$45,001	\$46,000	\$664.79	\$95,001	\$96,000	\$1,060.58	
\$46,001	\$47,000	\$676.19	\$96,001	\$97,000	\$1,068.19	
\$47,001	\$48,000	\$687.62	\$97,001	\$98,000	\$1,075.80	
\$48,001	\$49,000	\$699.03	\$98,001	\$99,000	\$1,083.42	
\$49,001	\$50,000	\$710.45	\$99,001	\$100,000	\$1,091.02	

Permit Issuance

1. For the issuance of each mechanical permit..... **\$34.39**

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Furnaces

For the installation or relocation of each forced-air of gravity-type furnace or burner, including ducts
 And vents attached to such appliance, up to and including 100,000 Btu/h (29.3kW)..... **19.04**
 For the installation or relocation of each forced-air or gravity-type furnace or burner, including
 Ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)..... **22.72**
 For the installation or relocation of each floor furnace, including vent..... **19.04**
 For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted
 unit heater **19.04**

2. Gas Piping Systems

For each outlet..... **7.00**

3. Mobile/Manufactured Home hookup..... **19.04**

4. Appliance Vents

For the installation, relocation, or replacement of each appliance vent installed and not included
 in an appliance permit..... **10.07**

5. Repairs of Additions

For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit,
 absorption unit, or each heating, cooling, absorption or evaporative cooling system, including
 installation of controls regulated by the Mechanical Code..... **17.68**

6. Boilers, Compressors and Absorption Systems

For the installation or relocation of each boiler or compressor to and including three horsepower
 (10.6kW), or each absorption system to and including 100,000 Btu/h (29.3kW)..... **19.04**
 For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW)
 To and including 15 horsepower (52.7kW), or each absorption system over 100,000 Btu/h
 (29.3kW) to and including 500,000 Btu/h (146.6kW)..... **34.15**
 For the installation or relocation of relocation of each boiler or compressor over 15 horsepower
 (52.7kW) to and including 1,000,000 Btu/h (293.1kW)..... **46.78**
 For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW)
 To and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h
 (293.1 kW) to and including 1,750,000 Btu/h (512.9kW)..... **68.26**
 For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or
 each absorption system over 1,750,000 Btu/h (512.9kW)..... **113.81**

7. Air Handlers

For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719L/s),
 including ducts attached thereto..... **13.87**
 Note: This fee shall not apply to an air-handling unit which is a portion of a factory-assembled
 appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required
 elsewhere in the Mechanical Code.
 For each air-handling unit over 10,000 cfm. (4719L/s)..... **22.72**

8. Evaporative Coolers

For each evaporative cooler other than portable type..... **13.87**

9. Ventilation and Exhaust

For each ventilation fan connected to a single duct..... **10.07**
 For each ventilation system which is not a portion of any heating or air-conditioning system
 authorized by a permit..... **13.87**
 For the installation of each Type I commercial kitchen hood..... **62.61**
 For the installation of each Type II commercial kitchen hood..... **13.87**

10. Incinerators

For the installation or relocation of each domestic-type incinerator..... **22.72**
 For the installation or relocation of each commercial or industrial-type incinerator..... **91.10**

11. Miscellaneous

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other
 Appliance categories, or for which no other fee is listed..... **13.87**

Other Inspection and Fees:

1. Inspections outside of normal business hours, per hour (minimum charge—two hours)... .. **Actual cost of jurisdiction**
2. ** Re inspection fee may be assessed for each inspection of re-inspection when such portion of
 work for which inspection is called is not complete or when corrections called for are not made.
 Minimum charge – one-half hour..... **62.62/hr**
3. Inspections for which no fee is specifically indicated, per hour (minimum charge—one-half hour)..... **62.62/hr**
4. Additional plan review required by changes, additions, or revisions to plans for which an
 initial review has been completed (minimum charge—one-half hour)..... **62.62/hr**
5. Investigation Fee for commencing work prior to permit issuance..... **EQUAL TO PERMIT FEE**

**This provision is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Permit Issuance

1. For the issuance of each plumbing permit.....	\$34.39
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Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Fixtures and Vents	
For each plumbing fixture or trap or set of fixtures on one trap	12.65
For repair of alteration of drainage or vent piping, each fixture.....	7.61
2. Water Service	
For repair, replacement or new (1 only).....	27.87
Utility stubs---2 or more water services ----12.65 ea. plus 34.39 per trip.....	
If included in plumbing/gas permit	12.65
For each industrial waste pretreatment interceptor including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps.....	25.29
Rainwater systems—per drain (inside building).....	12.65
3. Water Piping and Water Heaters	
For installation, alteration, or repair of water piping or water-treating equipment or both, each.....	7.61
For each water heater.	16.46
4. Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices	
For each lawn sprinkler system on any one meter, including backflow protection devices therefore.....	19.04
For atmospheric-type vacuum breakers or backflow protection devices not included in Item 1:	
1 to 5 devices.....	16.46
Over 5 devices, each.....	4.42
For each backflow protective device other than atmospheric-type vacuum breakers:	
2 inches (50.8mm) and smaller.....	15.23
Over 2 inches.....	30.35
5. Swimming Pools	
For each swimming pool or spa:	
Public pool.....	112.57
Public spa.....	75.86
Private pool.....	75.86
Private spa.....	37.94
6. Miscellaneous	
For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or which no other fee is listed	12.65

Other Inspections and Fees:

1. Inspections outside of normal business hours, per hour (minimum charge—two hours).....	Actual cost to jurisdiction
2. ** Re-inspection fees may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Minimum charge –1/2 hour	62.62/hr
3. Inspections for which no fee is specifically indicated, per hour (minimum charge—1/2 hour).....	62.62/hr
4. Additional plan review required by changes, additions, or revisions to plans for which an initial review has been completed (minimum charge—1/2 hour).....	62.62/hr
5. Investigation Fee for commencing work before permit issuance	EQUAL TO PERMIT FEE

**This provision is not to be interpreted as requiring re-inspection fee the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

ELECTRIC PERMIT FEES EFFECTIVE AUGUST 7, 2018

Table No. 3-B

For issuing each permit \$ **34.39**

Temporary Power Service: For temporary service pole or pedestal including all pole or pedestal-mounted receptacle outlets and appurtenances, each \$ **34.39**

System Fee Schedule

(Note: the following do not include permit issuing fee).

New Residential Buildings

The following fees shall include all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time.

1. ***Residential**: new construction and extensive remodeling based on square foot area. Included shall be all finished and unfinished rooms, including basements and residential garages. Multifamily dwellings or apartments, up to and including four units within a single structure, come under this section and each unit shall be counted as an individual residence.
 - a. 0 – 750 sq. ft. \$ **51.81**
 - 751 – 4,000 sq. ft. **51.81 plus \$.10 sq. ft. over 750 sq. ft.**
 - over 4,000 sq. ft. **\$273.17 plus \$.08 per sq. ft. over 4000 sq. ft.**
2. Mobile or Manufactured Homes: each connection or reconnection \$ **27.87**
3. Water pumps: any type
 - a. up to 25 h.p \$ **30.32**
 - b. over 25 h.p. **\$ 29.46 plus \$.10 per h.p. over 25 h.p.**
4. Private Swimming Pools & Hot Tubs: for new private, residential, in-ground, swimming pools & hot tubs for single-family, multi-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool or hot tub, each..... \$ **27.87**
5. Carnivals, Fairs, Outdoor Concerts and Similar Amusement Establishments and Other Public Assemblies of a Temporary Nature: Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable type rides, booths, displays and attractions.

The electrical inspection fee for each temporary installation shall be **\$65.81** for the entirety of the temporary installation, provided that such inspection can be completed within one hour. If additional inspection time is required, it will be charged at the rate of **\$32.92** for each additional 30 minutes or fractional parts thereof.

6. All Other: fees listed in this section shall apply to any and all electrical installations not specifically mentioned elsewhere in this rule. The wiring cost shall be the cost to the owner of all labor charges and all wiring materials and equipment installed as part of the wiring system. For uniformity of fee, when labor is performed by the owner, such labor cost shall be based at actual cost. The value of factory installed wiring, switches, and controls on equipment shall be included in wiring costs. Value of motors and appliances need not be included. Multifamily dwellings or apartments with five or more dwellings come under this schedule.

Mobile Home Parks – distribution wiring including pedestal or service is under this schedule. This does not include or permit the connection of the mobile home. Recreational Vehicle Parks – service conductors distribution and lot supply to individual units come under this schedule plus **\$6.99** per lot.

<u>Total Job Cost</u>	<u>Inspection Fee</u>
\$ 0 - \$ 1,000	\$ 62.01
\$ 1,001 - \$5,000	\$136.52
\$ 5,001 - \$10,000	\$260.51
\$10,001 - \$50,000	\$341.42 for first \$10,000 plus ½ of 1% of balance
More than \$50,000	\$617.03 for first \$50,000 plus ¼ of 1% of balance

7. Residential Appliances: For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges, self-contained room, console, or through-wall air conditions; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding one horsepower (HP) in rating, each **\$21.49**

Note: for other types of air conditioners and other motor driven appliances having larger electrical ratings, see Power Apparatus.

8. **Nonresidential Appliances:** For residential appliances and self-contained factory-wired, nonresidential appliances not exceeding one horsepower (HP), kilowatt (KW), or kilovolt-ampere (KVA), in rating including medical and dental devices; food, beverage, and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each..... **\$21.49**

Note: for other types of air conditioners and other motor-driven appliances have larger electrical ratings, see Power Apparatus.

9. **Power Apparatus:** For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows:

Rating in horsepower (HP), kilowatts (KW), kilovolt-amperes (KVA), or kilovolt-amperes reactive (KVAR):

Up to and including 10, each.....	\$21.49
Over 10 and not over 50, each.....	30.32
Over 50 and not over 100, each.....	62.01
Over 100, each.....	92.88

Note: a. For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used.

b. These fees include all switches, circuit breakers, contractors, thermostats, relays and other directly related control equipment.

10. **Services:** For services of six hundred volts or less and not over two hundred amperes in rating, each..... **\$39.17**
 For services of six hundred volts or less and over two hundred amperes to one thousand amperes in rating, each..... **\$75.86**
 For services over six hundred volts or over one thousand amperes in rating, each..... **\$152.97**

Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, bus ways, signs or other equipment.

11. **Option to Permitting Commercial Work under \$300.00 Per Job Cost.** As an option to individual permits for work \$300.00 or under, total electrical job cost, a licensed electrical contractor may purchase an annual permit to cover all jobs of this description for the calendar year. The cost of this permit shall be..... **\$409.67**

Other Inspections and Fees:

12. Inspections outside of normal business hours (minimum charge – two hours)..... **Actual Cost to the Jurisdiction**
13. ****Reinspections:** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made (minimum charge – one half hour)..... **\$62.62/hr**
14. Inspections for which no fee is specifically indicated.....(minimum charge – one half hour).....**\$62.62hr**
15. Additional plan review required by changes, additions or revisions to approve plans (minimum charge - one half hour).....**\$62.62/hr**
16. Investigation Fee for commencing work before permit issuance.....**EQUAL TO PERMIT FEE**

* Includes a maximum of three (3) inspections.

** This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

SIGN FEES

EFFECTIVE

Title 17 - LAND DEVELOPMENT CODE

Chapter 60 SIGN CODE

Sign Electrician/Journeymen Certificate (annual).....	\$ 15.00
Sign Electrician Certificate - Class A License.....	\$150.00
Sign Examination Application Fee.....	\$ 50.00
Sign Permit Fees 0 – 24 Sq. Ft.....	\$ 38.78
25 Sq. Ft. or more is \$38.78 plus.....	\$ 1.62 sq ft
Reface Sign Permit/Inspection: existing permitted sign flat fee.....	\$ 65.90
Sign Electrical Inspection Fee.....	\$ 38.78
Bench Signs/Transit Shelter (annual).....	\$ 77.55
Bench Signs – One Time Design Review Fee.....	\$ 32.31
A-Type Sandwich Board Signs (annual).....	\$ 64.62
On-Premise Temporary Sign – 60 day permit.....	\$ 32.31
Annual permit.....	\$129.24
Central Avenue Banner/BNSF Underpasses – 30 Day Maximum.....	\$ 64.62
Investigation Fee for commencing work prior to permit issuance.....	EQUAL TO PERMIT FEE

HOUSE MOVING FEES EFFECTIVE

Can be issued only to licensed house mover.

Application signed by appropriate utilities and

departments. Fee:

Structures less than 14' wide less than 22' length less than 14' high -

\$33.35 Structures 14' to 26' wide 22' to 35' length 14' to 20' high -

\$66.57 Structures 26' wide & over 36' length & over 20' high -

\$133.11

If any one measurement of the building exceeds maximum given in any one fee schedule, the fee shall be determined by the next larger schedule.

Investigation Fee for commencing work before permit issuance.....EQUAL TO PERMIT FEE



Commission Meeting Date: November 17, 2020
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Resolution 10377, Remodeling, Reconstruction, or Expansion of Certain Commercial Buildings or Structures, Tax Benefit for John and Lisa Semansky, 16 5th Street South, Legally Described as Lot 8, Block 364 of the Great Falls Original Townsite, Cascade County, MT.

From: Brad Eatherly, Planner II, Planning and Community Development

Initiated By: John and Lisa Semansky

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission conduct a public hearing and adopt Resolution 10377.

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10377.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation:

Staff provides no recommendation for this abatement request. While Staff recognizes that this request is for a relatively small amount of property tax to be abated, Staff also recognizes that the applicant has begun work on the property before their request has been acted upon by the City Commission.

Background:

John and Lisa Semansky own the building that is addressed as 14, 16, and 18 5th Ave South, which is legally described as Lot 8, Block 364 of the Great Falls Original Townsite, Cascade County, MT. The owners are proposing to update the façade of the existing building to incorporate a more historically accurate aesthetic. The portion addressed as 16 5th Street South is currently being remodeled as a salon. The previous business to occupy the space was a dry-cleaning operation that existed for almost 50 years.

The owners of the property hired a contractor to perform remediation of asbestos and lead paint prior to the interior remodeling. Because of the immediate need to get the contractor’s work scheduled, the owners opted to have the abatement work performed prior to their request for the abatement.

Upon filing for the tax abatement, the owners decided to move forward and authorize a permit to be filed for the renovation work to create the salon space at 16 5th Street South. The owners were advised that issuance of this permit might affect the Commission’s consideration of the tax abatement request. The owners didn’t believe they could wait because of needs of the future salon operator.

This project will result in revitalizing a building that has had a vacant tenant space for several months as well as making the space more aesthetically pleasing and safer to those who utilize the space. It will also greatly contribute to the on-going effort of revitalizing Downtown Great Falls. In summary, the applicant wishes to abate the increased property tax value brought about by the following improvements to the property: 1) remediation work, 2) renovation of the tenant space, and 3) future façade improvements.

Section 15-24-1501, MCA, provides local government the option of giving Tax Benefits for the Remodeling, Reconstruction or Expansion of Existing Buildings or Structures. Section 15-24-1501 MCA reads:

15-24-1501. Remodeling, reconstruction, or expansion of buildings or structures -- assessment provisions -- levy limitations. (1) Subject to [15-10-420](#) and the authority contained in subsection (4) of this section, remodeling, reconstruction, or expansion of existing buildings or structures, which increases their taxable value by at least 2½% as determined by the department, may receive tax benefits during the construction period and for the following 5 years in accordance with subsections (2) through (4) and the following schedule. The percentages must be applied as provided in subsections (3) and (4) and are limited to the increase in taxable value caused by remodeling, reconstruction, or expansion:

Construction period	0%
First year following construction	20%
Second year following construction	40%
Third year following construction	60%
Fourth year following construction	80%
Fifth year following construction	100%
Following years	100%

The law governing this incentive was amended in 1985, requiring that each local governing body (City and County) may approve the Tax Benefit on a project by project basis. If one local government body approves the tax benefit and the other does not, the benefit will apply only to the mills levied by the approving governing body. Additionally, tax benefits do not include any relief from state-wide levies, and local government approval of the application must be made by resolution.

In December 2015, the City Commission adopted Resolution 10119 establishing certain criteria for the evaluation of tax benefit requests. The following is the criteria by which each application is to be evaluated for approval, modification or denial, along with a brief staff evaluation of the merits of the project as it pertains to each criteria:

a. Whether the City's financial condition at the time of the application or consideration of the application warrants granting the application;

The City's current financial condition is stable, but under pressures due to recent property tax protests and settlements, as well as additional concerns about future budgetary impacts related to the COVID-19 pandemic. Because the proposed tax abatement request is located within the existing Downtown Tax Increment Finance District, the most pertinent financial consideration is the condition of the Downtown TIF. Due to the re-assessment of the Energy West property, the balance in the TIF is healthy. Currently, the Downtown TIF is receiving approximately \$1.2 million of annual increment. With that said, there are requests for funding being considered in the TIF, most notably the request from the City for debt service funding to renovate the façade on the Civic Center. Additionally, the Department is processing a request from the City's Park and Recreation Department to re-roof the Recreation Center. Fortunately, the financial impact of the applicant's request is too small to compromise other needs within the Downtown TIF.

b. Whether the application meets all pertinent statutory criteria for the particular project;

The application meets all statutory criteria. The project is eligible to receive abatement consideration by the City Commission. As noted above, the Commission has a policy decision to make on whether to grant a tax abatement request when the applicant has completed a portion of the work subject to the abatement request.

c. Whether the property taxes or other taxes and/or assessments on the property are current;

All property taxes and assessments on the property are current.

d. Whether the project may unreasonably affect the tax base of the City;

If the applicant's requested tax benefit is approved, the positive TIF District and eventual tax base improvement will be delayed. Until February of 2020, the property had been providing a positive tax benefit to the TIF District prior to the applicant's investment due to the prior businesses that occupied the spaces. The applicant's project will completely renovate the interior of the middle space as well as remediate harmful building materials used in the past. Over the long term, the City will gain tax revenue from the property. The requested abatement will delay the City's receipt of revenue for only a short time.

e. Whether the project would impact employment opportunities within the City;

The applicant's project will positively impact employment opportunities in the construction trades as well as provide a new commercial business in the downtown that will increase economic growth.

f. Whether the project is located within a Tax Increment Financing (TIF) or Targeted Economic Development (TED) District;

The project is located within the Downtown TIF district, but not within a Targeted Economic Development (TED) District.

g. Whether the project has already received additional financial assistance from the City or other authorities having jurisdiction;

The applicant has not received any other financial assistance from the City to date for this project.

h. As to applications filed pursuant to Mont. Code Ann. § 15-24-1601 *et seq.*, whether the Montana State Historic Preservation Office has provided design review assistance and certification for qualifying properties;

The project has not received design assistance from the State Historic Preservation Office, but the applicant is not required to seek certification.

i. Whether the project will create affordable housing opportunities;

The project will not create affordable housing opportunities.

j. Whether the project will encourage additional, unsubsidized development in the area of the project, either directly or indirectly, through “spin-off” development;

Staff is hopeful that the project will spur nearby property owners to rehabilitate or remodel their buildings and properties in and around downtown.

k. Whether the project will facilitate the development process and achieve development on sites which would not be developed without assistance, or would not be developed at a level of acceptable quality;

Staff cannot make a conclusion that this criterion has been met. It is understood that the applicant is an entrepreneur who is undertaking a challenging project to abate past environmental hazards and restore a more historically appropriate building façade. In this respect, the City Commission could determine that the requested abatement is the determining factor in facilitating this positive outcome. However, with the value of the abatement being low and some of the work already accomplished, Staff cannot conclude that the abatement is absolutely necessary.

l. Whether the project would encourage redevelopment of commercial and industrial areas in the City of Great Falls, resulting in a higher level and quality of re-investment;

The redevelopment of the subject property will have a positive effect on the surrounding area and will likely encourage further re-investment and redevelopment of surrounding commercial properties, which will continue to revitalize the Downtown area.

m. Whether the project would encourage removal of blight, or the rehabilitation of a high profile or priority site;

While the project will not remove any blight or rehabilitate a high profile or priority site, the property is located nearby other businesses such as Enbar and The Block that are operating out of recently renovated buildings. The applicant’s proposed façade improvements and new tenant space could continue to spur other nearby buildings and properties along 5th Street to create more active commercial spaces.

n. Whether the application is sought in whole or in part because of increased costs of redevelopment, such as clean-up of a contaminated site, demolition expenses, and the like, over and above costs normally incurred in development;

The applicant has stated that the costs of abating the building of asbestos and lead paint have led them to rely on some sort of financial assistance, with all other loan or grant opportunities being exhausted. Additionally, the desire to bring the façade of the building back to its historical context has brought increased expenses that were unforeseen.

o. Whether the project could be developed without the benefit of a tax abatement; i.e., but for the allowance of a tax abatement, the project would not be developed or pursued;

The applicant has stated that the abatement is necessary to defray the costs of renovation, and they have indicated the need for assistance to continue their investment. As outlined in Criterion (k), the City Commission should discuss whether the project has enough benefits to consider granting a tax abatement during project construction rather than at the beginning of the development process.

p. Whether conferring the tax benefit will create an adverse impact on existing state, county or municipal services;

Granting the tax abatement will reduce the tax benefit to the Downtown TIF for a five-year period. However, the redevelopment investment being made for the site will have a positive impact on the TIF's tax base for the long term.

q. Whether the project contributes to the implementation of other policies adopted by the City, including, but not limited to, the City's Growth Policy;

The project contributes to the goals and policies of the Growth Policy by encouraging entrepreneurship with the new salon and encouraging and incentivizing the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure. Additionally, the project contributes to a goal in the Downtown Master Plan of facilitating improvements and restoration of properties through tax incentives. Additionally, enhancing the unique aesthetic character of Downtown by preserving, restoring, and reusing Downtown's historic buildings and sites is an objective of the Downtown Master Plan. The applicant's building was constructed in 1928 and is listed as a Contributing building to the Historic District. The owners are proposing to bring the façade back to its original historic aesthetic.

r. Whether the project would meet other criteria as would be considered reasonable for the best interests of the City.

In addition to what's been included in this agenda report, the project directly addresses other community interests included in the 2012 Downtown Master Plan. Promoting quality design in Downtown's built environment and supporting new commercial and retail businesses in the Downtown are both strategies outlined within the Downtown Plan.

As required by Mont. Code Ann. § 7-1-4127, due notice of the intent to consider Resolution 10360 was provided through notices of public hearing being published in the *Great Falls Tribune* on November 1st, 2020 and November 8th, 2020.

Fiscal Impact:

Approval of the application will allow the new property taxes generated from the expansion to gradually be added to the property owner’s existing property taxes over a five-year period in increments of 20% each year. The Department of Revenue will apply the tax benefit to the 2021 fiscal year.

At the current tax rate and estimated post-construction appraisal values, the approximate estimated tax revenue reduction is shown below:

- Year 1: \$565 estimated tax amount exempted
- Year 2: \$420 estimated tax amount exempted
- Year 3: \$285 estimated tax amount exempted
- Year 4: \$140 estimated tax amount exempted
- Year 5: \$0 tax amount exempted

Estimated total loss over 5 years if approved: \$1,410

Alternatives:

In this case, Staff has not made a recommendation on the applicant’s request. Staff advises the Commission to focus on the information contained in Criteria (k) and (o) in making its final decision to approve or deny the project.

Concurrences:

The Planning and Community Development Department has coordinated with the Department of Revenue throughout the process.

Attachments/Exhibits:

- Resolution 10377
- Tax Abatement Application

cc: John and Lisa Semansky
 Joan Vining, Department of Revenue, jvining@mt.gov
 Melissa Kinzler, Director of Finance Department

RESOLUTION 10377

A RESOLUTION APPROVING THE APPLICATION FOR TAX EXEMPTION AND REDUCTION FOR THE REMODELING, RECONSTRUCTION, OR EXPANSION OF EXISTING COMMERCIAL BUILDINGS OR STRUCTURES; TAX BENEFIT FOR BIG SKY SELECT PROPERTIES, LLC, FOR THE PROPERTY LOCATED AT 14, 16, AND 18 5TH STREET SOUTH, LEGALLY DESCRIBED AS LOT 8, BLOCK 364, GREAT FALLS ORIGINAL TOWNSITE, CASCADE COUNTY, MT., PURSUANT TO MONT. CODE ANN. § 15-24-1502

* * * * *

WHEREAS, Mont. Code Ann. § 15-24-1502 allows for the opportunity for local governing bodies to provide Tax Benefits for Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures; and

WHEREAS, said exemption allows for properties to receive a property tax reduction for the first five years; and

WHEREAS, the applicants, John and Lisa Semansky, have submitted an Application for Tax Exemption and Reduction for the Remodeling, Reconstruction, or Expansion of Existing Commercial Buildings or Structures tax benefit pursuant to Mont. Code Ann. § 15-24-1502 for the property located at 16 5th Street South described as Lot 8, Block 364, Great Falls Original Townsite, Cascade County, MT; and

WHEREAS, in order for a taxpayer to receive the tax benefits, following due notice as defined in Mont. Code Ann. § 7-1-4127 and a public hearing, the City Commission, having jurisdiction, must approve by separate resolution for each project the application for tax benefits; and

WHEREAS, the City Commission adopted Resolution 10119 on the 1st day of December, 2015, Establishing Criteria for Evaluating Tax Abatement or Benefit Requests.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT:

Following a public hearing and taking into consideration the criteria established in Resolution 10119, the City Commission of the City of Great Falls does hereby approve John and Lisa Semansky’s Application for Tax Exemption and Reduction for the Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures pursuant to Mont. Code Ann. § 15-24-1502.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,
on November 17th, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney



AMENDED

Application for Tax Exemption and Reduction for the Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures

This application must be submitted to the appropriate local governing body or bodies by the property owner of record or his agent. The decision of the local governing body or bodies must be mailed to the Department of Revenue before April 1 of the tax year for which the benefits are sought.

I, John S & Lisa Ann Semansky whose mailing address is
Name of Applicant - Please Print
14 5th St. South, Great Falls, MT 59401
Please Print

do hereby make application for tax exemption and reduction for the remodeling, reconstruction or expansion of existing commercial building(s) or structure(s), in accordance with 15-24-1502, MCA, on the following described lands. (Please attach an additional page if the legal description does not fit within this space). Legal Description: North half of Lot 8, Blk 364, Townside of Great Falls commonly known as 14, 16, 18 5th St. South, Great Falls MT 59401.

- ◆ I submit the following information in support of this application:
- ◆ Date that the remodeling, reconstruction or expansion will start 11-1-2020
- ◆ Date that the remodeling, reconstruction, or expansion will be completed 4/1/2021
- ◆ Date that the earliest building permit was received. 10-15-2020
- ◆ (The construction period for a specific project may not exceed 12 months.)
- ◆ Estimated cost of the remodeling, reconstruction or expansion \$ see attached
- ◆ Please supply a brief description and diagram of the remodeling, reconstruction or expansion. If additional space is required, please attach additional pages.
- ◆ The commercial building or structures has not been used in a business for 7+ months. see attached explanation
- ◆ Property taxes on the building or structures are delinquent no yes x no.

Under penalty for perjury, I hereby certify the facts herein stated are true. I further acknowledge by my signature that I have reviewed the information on the reverse side of this form and understand its meaning.

Lisa Ann Semansky Signature of Property Owner or Agent Date 10/11/2020 Year _____
John Semansky Signature of Property Owner or Agent Date 10/11/2020 Year _____

For County Government Purposes Only

Application received by county governing body on _____ year _____. This application for exemption and reduction for remodeling, reconstruction or expansion of existing commercial buildings or structures is hereby:
_____ Approved _____ Disapproved

By _____, Chairman-County Commission on _____, year _____

For City Government Purposes Only

Application received by city governing body on _____ year _____. This application for exemption and reduction for remodeling, reconstruction or expansion of existing commercial buildings or structures is hereby:
_____ Approved _____ Disapproved

By _____, Authorized Agent of City Government on _____, year _____

For Department of Revenue Purposes Only

- ◆ Application received by Department of Revenue governing body on _____ year _____.
- ◆ The remodeling, reconstruction or expansion of the existing commercial building or structure increases the taxable value of that structure or building by at least 5% _____ yes _____ no.
- ◆ This application for tax exemption and reduction for the remodeling, reconstruction, or expansion of existing commercial buildings or structures is hereby _____ Approved _____ Disapproved
- ◆ If approved, the appropriate tax benefits will be granted for the _____ tax year.

By _____, County Appraiser on _____, year _____

ATTACHED TO APPLICATION FOR TAX EXEMPTION
FOR THE REMODELING OF EXISTING COMMERCIAL BUILDING

With this attachment I have submitted a drawing that we hired Steve L'Heureux to do for the facade of the building we are asking for tax exemption. The middle space, 16 5th street South is currently empty and has been since February, 2020. Prior to then, this space was the One-Hour Drycleaners and had been a drycleaning space for at least 50 years. The space was hooked up to a gas meter which we disconnected and had Energy West replace with a new meter. Thus, since April, there has been no ability to heat the space. The primary reason we disconnected this meter was because the heater hooked up to the gas was determined to be dangerous and the meter very very old.

Also with this attachment I submit a floor plan that Steve L'Heureux drew for 16 5th Street South. This may not be the final floor plan but it gives you an idea of what it may look like upon completion.

Please consider the following factors:

- a. We believe the City's financial condition warrants granting this application.
- b. Our application meets all pertinent statutory criteria.
- c. Our taxes are current.
- d. This project will increase the tax base of the City, we think.
- e. The space immediately to be renovated will increase employment and pedestrian traffic in our area, which should spill over to other retail spaces.
- f. We have been advised by the community development office that we are located within the TIF district.
- g. When we contacted the GFDA and the BID, we were advised that there were no grants or assistance available at this time.
- h. We have not talked to the Montana state historic preservation office.
- i. This is a commercial storefront building with no ability, at least at this time, to provide housing.
- j. We have a current tenant in 18 5th Street South and we have our office in 14 5th Street South. Other than replace the outside windows and upgrade the lighting we do not plan to do any work to these spaces, primarily due to the cost. However, we hope to eventually do work to have the facade look like the attached drawing. This drawing restores the building to its original openings and reveals the lovely brickwork that is on this building. Therefore, it will

bring more charm and distinction to our part of the downtown area. However, to replace the windows and restore them in a manner similar to this drawing we were astounded at the cost and cannot possibly do it. Because the middle space is essentially a shell right now with no usable electrical, heating, cooling or plumbing, we hope to renovate and build pursuant to code this space now.

- k. We needed to have the building assessed for possible asbestos, lead paint and chemicals. We hired a local company and the building was assessed. We received the assessment and we advised that the two outside spaces were asbestos and lead paint free but that the middle space would need to be asbestos/lead paint abated. We contacted two companies who are qualified and licensed to do this work and hired the local one, HazTech to do the work. Because of the condition of the space and the limited time frame that HazTech could do the work, we immediately requested the work begin and it was mostly finished the week of September 14, 2020. The company we hired to do the assessment also did the clearing letter which we received the week of September 14, 2020. We are cleared and the space is free of any toxic or contaminates.
- l. We believe that the restoration of the facade as we hope to do, and the renovation of the middle portion of the building will inspire other property owners to restore their property and encourage investment in the downtown area.
- m. Since we abated this building, although it was expensive, we are thankful we were able to do it in a timely way so that we can hopefully move forward with the facade and renovation of the middle space.
- n. We cannot renovate this space without a tax abatement because the costs of doing so and return we are able to ask in terms of rent does not work mathmatically. (A realtor advised us of the rent he believed we can charge for the spaces when they are renovated, based upon current rates charged in the downtown area). Therefore, we request a tax abatement as we had to abate the building and that cost us about \$20,000.00 and without some relief we will not be able to do what needs to be done to the middle space or the facade. Moreover, we will not be able to fully finish the facade and renovated the other two spaces in the future.
- o. Our option, if we cannot get a tax abatement to help defray the costs of renovating is to sell the building or leave the middle space empty and simply continue to keep the same facade. We really do not want to do this, but need assistance in order to continue the investment.
- p. A tax abatement will not create an adverse impact on existing state, county or municipal servcies.
- q. This project totally contributes to the City's Growth policy.
- r. This project, much like other areas in the downtown area that have been recently developed will continue to encourage revitalization of our city.

Attachment to Amended Application for Tax Exemption and reduction for the remodeling, Reconstruction or expansion of existing commercial building or structures with regard to the estimated cost of the remodel.

The estimated cost of the asbestos abatement, remodeling and reconstruction of our building is set for below:

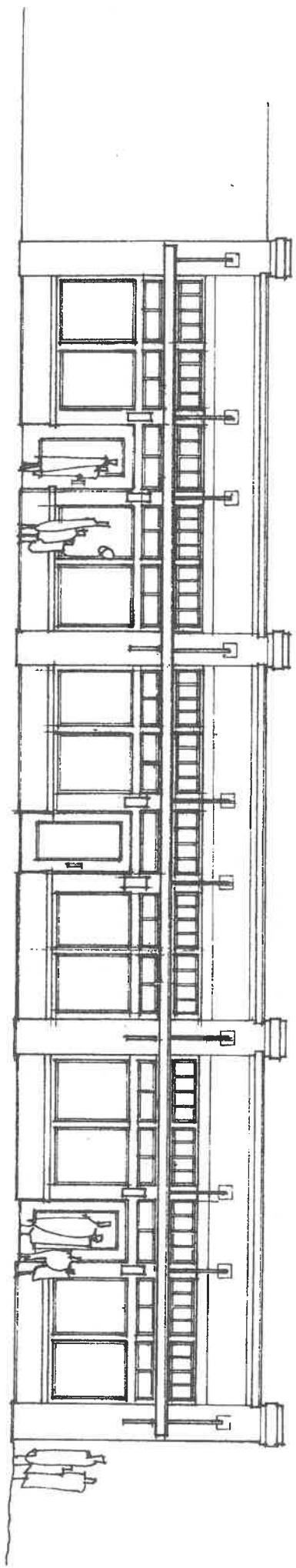
Assessment of building for asbestos and lead paint:		\$ 4,000.00
Abatement of #16 space for asbestos		13,363.00
Clearing letter		700.00
Cleanup		775.00
Awning removal - removed by owner rented equipment		1,000.00
facade-removal and replacement of windows, doors, cleanup of brick, lights		\$80,000.00
Conceptual design for facade		1,000.00
renovation of #16:		\$60,000.00
electrical- estimate	\$10,000.00	
HV-AC - estimate	\$ 8,600.00	
Plumbing - estimate	\$10,000.00	
TOTAL		\$160,000.00

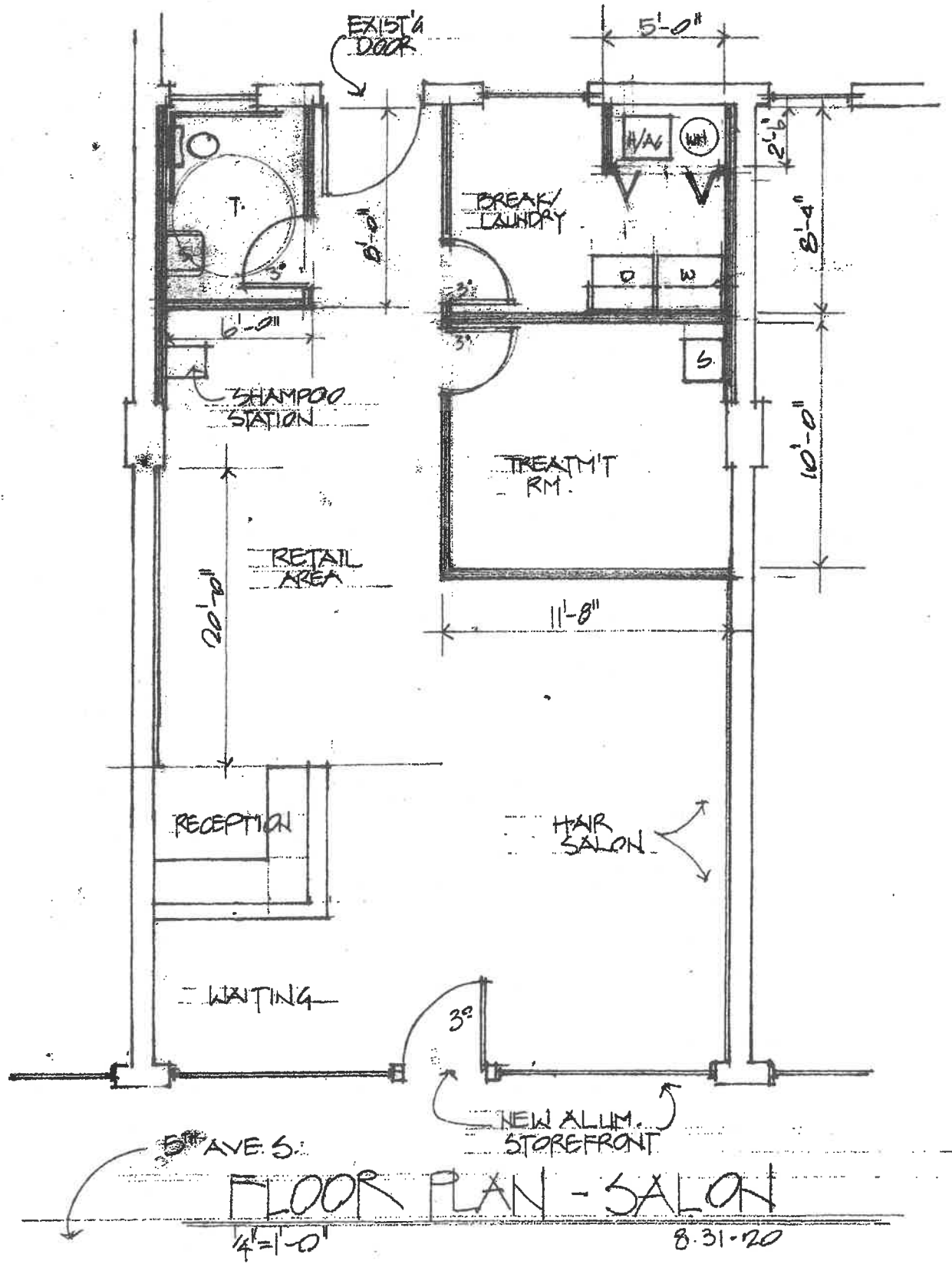
Currently #16 is and has been since February 14, 2020 empty and unrentable. When it is finished it will rent for \$850.00 plus utilities/month

Currently #18 is rented and this tenant pays \$650.00/month. Because it is rented, no change in rent is anticipated despite a new facade and much better windows until the lease is completed which is June 1, 2021.

Currently #14 is the owner's office and no rent is paid. Once the renovations are finished but no later than Jan 1, 2021, the owner will vacate and the space will be rented for \$800 plus utilities/mo.

The plumbing replaced old rotten pipes in #16 that leaked in two places. Also, the plumbers rerouted the roof drains, one of which drained into the sewer. They now drain out of the building and not into the sewer.







Commission Meeting Date: November 17, 2020

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10379, “A resolution by the City Commission of the City of Great Falls, Montana, authorizing the expenditure of approximately \$8,829,810 of funds from the Downtown Urban Renewal Tax Increment Financing District toward the Civic Center Façade Renovation Project.”

From: Craig Raymond, Director, Planning & Community Development

Initiated By: Craig Raymond, Director, Planning & Community Development

Presented By: Craig Raymond, Director, Planning & Community Development

Action Requested: City Commission set the public hearing on Resolution 10379 for December 1, 2020.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing for Resolution 10379 for December 1, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation:

Staff recommends that the City Commission set a public hearing on December 1, 2020, so that public testimony can be heard and considered prior to final action on the Resolution.

Summary:

It is well documented that the Civic Center façade has been deteriorating for a number of years. Since at least 2011, City Staff have been working towards developing a renovation project and securing adequate funding to finance the renovation. While the project has not formally gone out for public bid, it is estimated that the renovation construction cost will be approximately \$5.5 million. Contingency, underwriting costs, and interest paid over time is estimated to bring the total cost to approximately \$8.8 million.

In early 2020, the Great Falls City Commission directed staff to investigate and pursue the possible use of Tax Increment Finance (TIF) funds to be used as a guarantee in a bond sale. If approved, Resolution 10379 authorizes the City to use TIF funds from the Downtown Urban Renewal Area in the amount of approximately \$8.8 million.

Background:

In 2011, Hessler Architects performed a full analysis of the Civic Center façade due to noticeable cracking and buckling of façade panels and brick mortar cracking. The Hessler report detailed the likely cause of the failures and provided several recommendations for interim measures as well as full renovation strategies including destructive examinations. At the time, construction costs were estimated to be approximately \$3.5 million including architectural and engineering fees.

In 2016, CTA Architects was hired to review the Hessler report and to perform an additional analysis to check for progression of deterioration and cracking of the structural panels. CTA's findings were consistent with the Hessler report and also provided recommendations of structural panel replacement. CTA further determined that caulking and filling of gaps would only temporarily alleviate water intrusion and destruction because the source of the structural failures was due to existing chloride ratios in the original concrete mixture eroding into the panel rebar of the building. In 2017, the City engaged CTA Architects to complete full architectural and engineering bid and construction drawings. CTA embarked on planning the renovation of the failed façade surfaces but also has included in its scope of work the replacement of the Civic Center roofing materials and roofing and building termination details.

Since 2017, staff and CTA Architects (now known as Cushing Terrell) have been briefing the City Commission on renovation plan progress and have identified various funding strategies for the Commission to consider. At the June 16, 2020 City Commission work session, the City Commission encouraged staff to pursue a TIF funding strategy that included utilizing the Downtown Urban Renewal TIF District to guarantee a bond sale and provide annual bond repayment. Since that time, City staff have been working with TIF counsel and bond underwriters to prepare for the TIF application approval and bond sale. Staff also prepared an amendment to the Downtown Urban Renewal Plan (DURP) in order to specifically include the Civic Center building and property as a viable and eligible property for TIF funded projects. On August 11, 2020, the City of Great Falls Planning Advisory Board found that the DURP amendment was consistent with the City's Growth Policy. On August 26, 2020, the Downtown Development Partnership (DDP) voted to recommend approval after staff presented the DURP amendment for consideration. The City Commission approved the DURP amendment on October 6, 2020, providing a greater level of transparency that the Civic Center Façade renovation was likely to be funded through the use of TIF funds.

Subsequent to the DURP amendment, Planning and Community Development staff prepared and submitted a formal TIF funding application. On October 28, 2020, the DDP again voted to support and recommended approval of the TIF application for funding of the façade renovation project. One suggested measure in that recommendation was to include all known estimated costs associated with the project including bond financing interest expenses. As such, staff revised the application to include said interest expenses. As such, the total application for TIF funding is approximately \$8.8 million. The exact figure will depend largely on the actual interest rates at the time a bond sale is completed. The attached amortization schedule shows that the estimated interest rate is 4% at this time.

Fiscal Impact:

The current increment gained annually in the Downtown Urban Renewal Area is approximately \$1.2 million. As depicted in the attached amortization schedule, the annual debt service payments on the bond, once sold, is estimated to be \$441,490.50 from the TIF fund. The remaining balance will be available for other TIF eligible activities.

Alternatives:

The City Commission may elect to not set a public hearing, either delaying final action on Resolution 10379 or foregoing utilization of TIF financing options for the Civic Center renovation.

Concurrences:

City staff has reviewed the proposal and recommends approval. The Planning Advisory Board concurred that the DURP amendment was consistent with the Growth Policy. The DDP recommended approval of the DURP amendment and subsequently voted to recommend the approval of this TIF funding application.

Attachments/Exhibits:

Resolution 10379

Revised TIF Funding Application

Estimated Loan Amortization Schedule

RESOLUTION 10379

A RESOLUTION TO AUTHORIZE THE EXPENDITURE OF APPROXIMATELY \$8,829,810 OF FUNDS FROM THE DOWNTOWN URBAN RENEWAL TAX INCREMENT FINANCE DISTRICT TOWARD THE CIVIC CENTER FAÇADE RENOVATION PROJECT.

* * * * *

WHEREAS, under the provisions of the Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended, an urban renewal district may be established so that a municipality may undertake urban renewal projects therein, provide for the segregation and collection of tax increment with respect to taxes collected in such district, and apply all or a portion of the tax increment derived from such district to the payment of costs of such urban renewal projects; and

WHEREAS, the City Commission, in 2012, established the Downtown Urban Renewal Tax Increment Financing District to address blighted conditions and foster economic development; and,

WHEREAS, the Civic Center is widely considered to be the “Crown Jewel” of the Downtown Urban Renewal Tax Increment Financing District; and

WHEREAS, there is a need for the renovation of the Civic Center Façade; and,

WHEREAS, the City of Great Falls’ proposed project will address the current need for structural repair and renovation; and,

WHEREAS, City Staff has assessed the merits of the projects in relation to the goals and objectives of the Amended and Restated Downtown Urban Renewal Plan, evaluated the project based on the evaluation criteria, and determined that expenditure of TIF funds in the amount of approximately \$8,829,810 for the purpose of financing the sale of bonds and finds that the proposed project is eligible and appropriate.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Great Falls, Montana:

Section 1. Approval. The City Commission hereby approves the expenditure of the requested Tax Increment Financing District funds as requested by the City of Great Falls in the amount of approximately \$8,829,810.

Section 2. Findings. Based on representations made to the City Commission to date and taking into consideration all comments received, including those made at a properly noticed City Commission meeting the City Commission does hereby make the following findings, determinations, and declarations regarding the Downtown Urban Renewal Tax Increment Financing District, which is hereinafter referred to as the District:

- (a) No persons will be displaced from their housing by the Project or the Infrastructure Improvements;
- (b) The Project and the Infrastructure Improvements substantially satisfy the review criteria of the funding application process and meet the purpose and goals of the Act, the District, and the Plan;
- (c) The Plan, to include the Project and the Infrastructure Improvements, conforms to the comprehensive plan or parts thereof for the City as a whole;
- (d) The Infrastructure Improvements constitute public improvements in accordance with the Act;
- (e) The Plan, to include the Project and the Infrastructure Improvements, will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise; and
- (f) A sound and adequate financial program exists for the financing of the Infrastructure Improvements, as more particularly in Section 3 hereof.

Section 3. District Plan. The District Plan is a plan describing existing infrastructure, existing infrastructure deficiencies, and development activities to be undertaken within the District.

Section 4. Effective Date. This Resolution shall be in full force and effect upon passage and adoption by the City Commission.

Section 5. Conflict with Other Ordinances and Resolutions. All enforcement of City Ordinances and/or Resolutions in conflict herewith is hereby suspended.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 1st day of December, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

CITY OF GREAT FALLS



TAX INCREMENT FINANCING (TIF)

APPLICATION FOR FUNDS

**CITY OF GREAT FALLS
TAX INCREMENT FINANCING (TIF)
APPLICATION FOR FUNDS**

Project Name: Civic Center Façade & Roof Renovation

Date Submitted: 10/1/2020

Name of TIF District: Downtown Urban Renewal Area

APPLICANT INFORMATION

Name: Craig Raymond, Planning and Community Development Department, Civic Center Facilities Division, City of Great Falls.

Address: 2 Park Drive South, Great Falls, MT. 59403

Telephone: 406-455-8530

DEVELOPMENT INFORMATION

1. **Building Address:** 2 Park Drive South, Great Falls, MT. 59403
2. **Legal Description:** Margaret Park Civic Center Whittier Park, S11, T20 N, R03 E.
3. **Ownership:** City of Great Falls

Address: PO Box 59403, Great Falls, MT. 59403

4. **If property is not owned by the Applicant, list leasehold interest:** (*Attach evidentiary materials*).
Name: N/A
Address: N/A
5. **Existing/Proposed Businesses:** General governmental administrative services

Business Description: The Civic Center houses multiple administrative offices of city government.

6. **Employment:** Existing FTE Jobs: Currently there are 90.77 FTE's employed in the Civic Center and the administration of 506.68 FTE's across the city organization

New Permanent FTE Jobs created by project: None

Construction FTE jobs: 8-12

7. **Architectural/Engineering Firm:** Cushing Terrell, Great Falls

Address: 219 2nd Ave S. Great Falls, MT. 59405

Representative: Tony Houtz

8. Please provide a description of the Total Project Development (attach a narrative explanation).

Total Project Development involves removal and replacement of the majority of the existing precast concrete wall panels at the Civic Center. Existing brick masonry and most of the granite are to remain. Other aspects of the project are to reconstruct the front staircase, provide new railings that meet the current adopted building code, and replace the roofing membrane.

9. Please provide rehabilitation/construction plans (attach schematics, site and landscaping plans).

10. What is the development schedule or estimated completion date for the Total Project Development?

The Total Project Development is best defined as the entire development, not just the TIF improvements (please include project phasing if appropriate).

The project is scheduled to out for bid this winter. Likely December/January 2020-21. The optimal start of construction for a project like this will be early spring 2021 depending on contractor and material availability. Total duration once project begins is roughly 12 months.

11. Do you plan on asking for any other tax abatements, grants, tax credits or other forms of relief? If so, what type?

The City has applied for a \$500,000 historic preservation grant through the State of Montana that will not be announced until after the next legislative session. We also intend to pursue any other grants that the project may be eligible for. We do not intend to seek additional TIF funds at this time however it is possible that additional funds could be requested under a separate application if total project costs exceed estimates.

12. Please describe your funding needs and the anticipated timing schedule for your identified Eligible TIF Activities (example: *I will be fronting the costs of all identified TIF improvements and would like to be reimbursed incrementally as TIF funds become available; I am interested in utilizing bond financing to complete the identified project improvements and would like to be reimbursed with TIF funds as they become available, I need TIF funds immediately to complete the identified TIF improvements, etc.*)

Estimated project costs are \$6.0 million including contingency and misc bonding costs. We intend to seek bond financing using the TIF funds to cover the associated debt service annually.

13. Please indicate the amount of Public Infrastructure Need and the amount of Public Infrastructure being requested to be financed by the TIF District.

The entire Civic Center façade project is considered public infrastructure due to the unique nature of the building. We intend to fund 100% of the project that is not covered by miscellaneous grants that we may be eligible for through TIF financing.

TOTAL PROJECT DEVELOPMENT COSTS

The total project development cost is the cost to develop the entire project/site, and should include the cost of the TIF improvements.

Land and Site Preparation Improvements (Itemized)

1. Value of Land	\$ N/A
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____

Subtotal **\$ N/A**

Construction/Rehabilitation Costs (Use general construction trade divisions)
(Total value of improvements)

1. Roof Replacement	\$ 573,635
2. Protective Canopy	\$ 119,432
3. General Requirements	\$ 2,312,576
4. Demolition	\$ 120,673
5. Concrete	\$ 83,321
6. Masonry	\$ 2,558,944
7. Metals	\$ 20,501
8. Specialties	\$ 18,670
9. HVAC	\$18,304
10. Electrical	\$53,134
11. Misc/Contingency	\$120,808

Subtotal **\$ 6,000,000**

Equipment Costs
(Total value of equipment)

1. N/A	\$ _____
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Subtotal **\$ N/A**

Total Project Development Costs **\$ 6,000,000**

CERTIFICATION

I (we), Craig Raymond (please print), certify that the statements and estimates within this Application as well as any and all documentation submitted as attachments to this Application or under separate cover are true and correct to the best of my (our) knowledge and belief.

Signature



Title: Director, Planning & Community Development

Address: 2 Park Drive South, Great Falls, MT. 59403

Date: 9/24/2020

**Revised 11/5/2020 to include bond interest charges to total TIF expense request*

ESTIMATED LOAN AMORTIZATION SCHEDULE

ENTER VALUES

Loan amount	\$6,000,000.00
Annual interest rate	4.00%
Loan period in years	20
Number of payments per year	1
Start date of loan	1/1/2021
Optional extra payments	\$0.00

LOAN SUMMARY

Scheduled payment	\$441,490.50
Scheduled number of payments	20
Actual number of payments	1
Total early payments	\$0.00
Total interest	\$2,829,810.04

LENDER NAME

PMT NO	PAYMENT DATE	BEGINNING BALANCE	SCHEDULE D PAYMENT	EXTRA PAYMENT	TOTAL PAYMENT	PRINCIPAL	ESTIMATED INTEREST	ENDING BALANCE	ESTIMATED CUMULATIVE INTEREST
1	1/1/2021	\$6,000,000.00	\$441,490.50	\$0.00	\$441,490.50	\$201,490.50	\$240,000.00	\$5,798,509.50	\$240,000.00
2	1/1/2022	\$5,798,509.50	\$441,490.50	\$0.00	\$441,490.50	\$209,550.12	\$231,940.38	\$5,588,959.38	\$471,940.38
3	1/1/2023	\$5,588,959.38	\$441,490.50	\$0.00	\$441,490.50	\$217,932.13	\$223,558.38	\$5,371,027.25	\$695,498.75
4	1/1/2024	\$5,371,027.25	\$441,490.50	\$0.00	\$441,490.50	\$226,649.41	\$214,841.09	\$5,144,377.84	\$910,339.84
5	1/1/2025	\$5,144,377.84	\$441,490.50	\$0.00	\$441,490.50	\$235,715.39	\$205,775.11	\$4,908,662.45	\$1,116,114.96
6	1/1/2026	\$4,908,662.45	\$441,490.50	\$0.00	\$441,490.50	\$245,144.00	\$196,346.50	\$4,663,518.44	\$1,312,461.46
7	1/1/2027	\$4,663,518.44	\$441,490.50	\$0.00	\$441,490.50	\$254,949.76	\$186,540.74	\$4,408,568.68	\$1,499,002.19
8	1/1/2028	\$4,408,568.68	\$441,490.50	\$0.00	\$441,490.50	\$265,147.75	\$176,342.75	\$4,143,420.93	\$1,675,344.94
9	1/1/2029	\$4,143,420.93	\$441,490.50	\$0.00	\$441,490.50	\$275,753.66	\$165,736.84	\$3,867,667.26	\$1,841,081.78
10	1/1/2030	\$3,867,667.26	\$441,490.50	\$0.00	\$441,490.50	\$286,783.81	\$154,706.69	\$3,580,883.45	\$1,995,788.47
11	1/1/2031	\$3,580,883.45	\$441,490.50	\$0.00	\$441,490.50	\$298,255.16	\$143,235.34	\$3,282,628.29	\$2,139,023.81
12	1/1/2032	\$3,282,628.29	\$441,490.50	\$0.00	\$441,490.50	\$310,185.37	\$131,305.13	\$2,972,442.91	\$2,270,328.94
13	1/1/2033	\$2,972,442.91	\$441,490.50	\$0.00	\$441,490.50	\$322,592.79	\$118,897.72	\$2,649,850.13	\$2,389,226.65
14	1/1/2034	\$2,649,850.13	\$441,490.50	\$0.00	\$441,490.50	\$335,496.50	\$105,994.01	\$2,314,353.63	\$2,495,220.66
15	1/1/2035	\$2,314,353.63	\$441,490.50	\$0.00	\$441,490.50	\$348,916.36	\$92,574.15	\$1,965,437.28	\$2,587,794.81
16	1/1/2036	\$1,965,437.28	\$441,490.50	\$0.00	\$441,490.50	\$362,873.01	\$78,617.49	\$1,602,564.26	\$2,666,412.30
17	1/1/2037	\$1,602,564.26	\$441,490.50	\$0.00	\$441,490.50	\$377,387.93	\$64,102.57	\$1,225,176.33	\$2,730,514.87
18	1/1/2038	\$1,225,176.33	\$441,490.50	\$0.00	\$441,490.50	\$392,483.45	\$49,007.05	\$832,692.88	\$2,779,521.92
19	1/1/2039	\$832,692.88	\$441,490.50	\$0.00	\$441,490.50	\$408,182.79	\$33,307.72	\$424,510.10	\$2,812,829.64
20	1/1/2040	\$424,510.10	\$441,490.50	\$0.00	\$424,510.10	\$407,529.69	\$16,980.40	\$0.00	\$2,829,810.04